

FORTY-FIRST DAY.

Senate Chamber,
Austin, Texas,
Friday, March 10, 1911.

The senate met pursuant to adjournment, and was called to order by Lieutenant Governor Davidson.

Roll call, quorum being present, the following Senators answering to their names:

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| Adams. | Paulus. |
| Astin. | Peeler. |
| Bryan. | Perkins. |
| Carter. | Ratliff. |
| Cofer. | Real. |
| Collins. | Sturgeon. |
| Greer. | Terrell, McLennan |
| Hudspeth. | Terrell, Wise. |
| Hume. | Townsend. |
| Johnson. | Vaughan. |
| Kauffman. | Ward. |
| Lattimore. | Warren. |
| Mayfield. | Watson. |
| McNealus. | Weinert. |
| Meachum. | Willacy. |
| Murray. | |

Prayer by Rev. Dr. Bradfield.

Pending the reading of the Journal of yesterday, on motion of Senator Peeler, the same was dispensed with.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Perkins:

Whereas, There is at the bar of the Senate, Hon. J. R. Gough of Collin county, for ten years a member of the House and Senate of Texas, and one of the State's most distinguished citizens; therefore, be it

Resolved, That Senator Gough be invited to address the Senate, and be given the privileges of the floor.

The resolution was read and adopted and

The Chair appointed Senators Perkins, Cofer and Sturgeon as a committee to escort ex-Senator Gough to the President's stand. After being introduced he addressed the Senate briefly.

SIMPLE RESOLUTION.

By Senator Meachum:

Whereas, The Thirty-second Legislature of the State of Texas will adjourn sine die at high noon on March 11th, and

Whereas, It is necessary to provide for the winding up of the affairs of the Senate of this Legislature, and it is necessary to have certain employes retained for certain necessary business in winding up the affairs of the session after the membership has departed for their homes; therefore be it

Resolved, That a committee of five be appointed by the President of the Senate to arrange for the printing of the Journal of the Senate of the Regular Session of the Thirty-second Legislature, and to determine what post-session clerical work is necessary in order to properly wind up the business of the Thirty-second Legislature and to determine what officers and employes shall be retained to perform such post-session clerical work, and to make such recommendations in the premises as to said committee may appear proper.

The resolution was read and adopted.

Morning call concluded.

MESSAGE FROM THE GOVERNOR.

Executive Office,
State of Texas.

Austin, Texas, March 10, 1911.

To the Senate:

Senate bill No. 23 provides for the location and establishment at the penitentiary at Rusk, by the Board of Prison Commissioners, of a cotton factory for the manufacture of certain articles from cotton. I am returning the bill to you herewith without approval for the reasons assigned in the following statement:

The new prison law, creating a Prison Commission, vests in the Commissioners power to establish such industries whenever in their judgment it is advisable to do so. The bill herewith returned to you carries an appropriation of \$150,000 to build and equip the cotton factory provided for. Already you have been advised that the new prison laws of the State call for large expenditures of money in excess of what it has heretofore cost to maintain the penitentiary system. When the present Prison Commissioners took charge of the system they found it practically stripped of supplies and the treasury scantily supplied with money, and they estimate that it will require more than a quarter of a million dollars more money than the receipts to meet the expense of its management during the

next six months. A concurrent resolution now in the Governor's office advises that the Legislature will adjourn on March the eleventh, at noon; but as yet no bill has been passed, so far as the Governor has been advised, to supply the means to meet the appropriation provided for by Senate bill No. 23. The Constitution provides for "casual deficiencies," but I know of no provision in our organic law which would justify the Prison Commission in creating a deficiency for the purpose of carrying into effect the bill which I am returning to you. There is nothing in the bill itself providing for it. The Legislature is about to adjourn without even levying a tax to meet the absolutely necessary expenses of the State government. Ordinary prudence in the management of the public's affairs would dictate that no expense not absolutely necessary should be incurred without provision previously being made to meet it. By the passage of the bill the Legislature creates an obligation without making any provision whatever to meet it. This is a valid objection to the measure, and is in itself sufficient grounds for disapproving the bill.

Further than this, it is not good policy to make further experiments of this kind with the public funds. A railroad has been built connecting the Rusk prison with Palestine, and the experiment has been, up to this time, a great failure, and is now costing the State several hundred dollars per month above the income from its operation. I do not want to see other experiments connected with the Rusk prison which might cause others to advocate the abandonment of this prison, as some even in the recent past have suggested. The Democratic party for years has demanded that the convicts be worked within the prison walls and taken out of competition with honest free labor, as far as it is practical to do so. This I most earnestly favor now. To establish a cotton factory at Rusk in accordance with the terms of the bill would bring convict labor, in the manufacture of certain cotton goods, into competition with the same articles now being manufactured in many places in Texas with free labor. Besides, a still further objection to this course is in the fact that experience has taught that such manufacturing is not profitable from the labor of convicts of mature years. If such an experiment was to

have been engaged in by the State it should have been located at Gatesville, where the juvenile criminals could have been used and trained in the manufacture of such goods. Perhaps a laudable purpose inspired this bill, but I am of the opinion that it will be an experiment of doubtful wisdom, even if there was money in the treasury with which to meet the expense of establishing and operating it.

Certain small manufactories could be established in connection with the Rusk prison, in my opinion, which would be less expensive and more profitable, but these can be built by the Prison Commission as fast as the revenues at their disposal will justify. The manufacture of binder twine, for instance, could be successfully engaged in without bringing the product of the convicts' labor into serious competition with free labor in this State.

Under all the circumstances, I can not give approval to this experimental expenditure of public money, more especially at this time, when the Legislature has made no provision whatever to meet the expense.

Respectfully submitted,
O. B. COLQUITT,
Governor of Texas.

SIMPLE RESOLUTION.

Whereas, Hon. F. T. Wilson, Chief Clerk of the House of Representatives of the State of Tennessee, is in Austin, therefore be it

Resolved, That he be invited to address the Senate, and that the privileges of the floor be extended to him while in the city.

CARTER,
TERRELL of Wise.

The resolution was read and adopted, and Mr. Wilson addressed the Senate.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 10, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

Senate Joint Resolution No. 9, to amend Section 51 of Article 3 of the Constitution of the State of Texas, so as to authorize the grant of aid to indigent and disabled Confederate soldiers and sailors and their widows,

and to soldiers who served in the militia and in organizations for the protection of the frontier, and their indigent widows, and to grant aid for the establishment and maintenance of a home for the indigent and dependent wives and widows of Confederate soldiers and sailors, and such women as aided the Confederacy, and authorize a special ad valorem pension tax, and making appropriations for same, with amendments.

Concurs in Senate amendments to House bill No. 292.

Adopted Free Conference Committee report on House bill No. 325 by the following vote, yeas 106, nays 8.

Passed House concurrent Resolution No. 40, granting leave of absence for the Hon. S. P. Huff, judge of the Forty-sixth Judicial District.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

HOUSE CONCURRENT RESOLUTION NO. 40.

The Chair laid before the Senate, House Concurrent Resolution No. 40, granting leave of absence for Hon. S. P. Huff, district judge, from absence from State.

The resolution was read and adopted.

SIMPLE RESOLUTION.

By Senator Cofer:

That a special rule to be known as Rule "61B" be adopted as follows:

RULE "61B."

It shall only require a majority vote of all Senators present to suspend pending business for the purpose of taking up and considering at any stage House bill No. 146—any other rule or order to the contrary notwithstanding.

This rule shall not be rescinded or changed except by a two-thirds vote of all the members present.

COFER,
STURGEON,
BRYAN.

Senator Hudspeth offered the following amendment to the resolution:

Amend the resolution by adding Senate bill No. 280.

Senator Bryan moved to table the amendment to the resolution, which

motion to table was lost by the following vote:

Yeas—14.

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|-----------|----------------|
| Bryan. | McNealus. |
| Carter. | Sturgeon. |
| Cofer. | Terrell, Wise. |
| Collins. | Townsend. |
| Greer. | Vaughan. |
| Johnson. | Ward. |
| Mayfield. | Warren. |

Nays—17.

| | |
|------------|-------------------|
| Adams. | Peeler. |
| Astin. | Perkins. |
| Hudspeth. | Ratliff. |
| Hume. | Real. |
| Kauffman. | Terrell, McLennan |
| Lattimore. | Watson. |
| Meachum. | Weinert. |
| Murray. | Willacy. |
| Paulus. | |

A verification of the vote was called for and no errors found.

Action recurred on the amendment, and the same was adopted.

Senator Cofer called for a division of the question.

Senator Vaughan moved the previous question on the resolution as amended, which motion being duly seconded was so ordered. The resolution, as amended, was then lost by the following vote:

Yeas—9.

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| Bryan. | Sturgeon. |
| Cofer. | Terrell, Wise. |
| Collins. | Ward. |
| Johnson. | Warren. |
| Lattimore. | |

Nays—22.

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|-----------|-------------------|
| Adams. | Paulus. |
| Astin. | Peeler. |
| Carter. | Perkins. |
| Greer. | Ratliff. |
| Hudspeth. | Real. |
| Hume. | Terrell, McLennan |
| Kauffman. | Townsend. |
| Mayfield. | Vaughan. |
| McNealus. | Watson. |
| Meachum. | Weinert. |
| Murray. | Willacy. |

Senator Hudspeth moved to reconsider the vote by which the resolution was lost, and lay that motion on the table.

The motion to table was lost.

HOUSE CONCURRENT RESOLUTION NO. 23.

(By Unanimous Consent.)

On motion of Senator Meachum, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate, House Concurrent Resolution No. 23, providing for joint rules of the House and Senate.

The resolution was adopted.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House concurs in Senate amendments to House bill No. 521 by the following vote, yeas 105, nays 0.

Reconsiders its action in concurring in Senate amendments to House bill No. 292 and refuses to concur. A Free Conference Committee is requested to be appointed. The following has been appointed on part of the House: Messrs. Williams of Dallas, Kennedy, Robertson of Travis, Nickels of Hill and Camp.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

HOUSE BILL NO. 385.

Senator Murray here moved to recall House bill No. 385 from the Committee on Roads, Bridges and Ferries for the reason that it had already been acted on by the committee.

The motion was adopted.

SENATE BILL NO. 281.

(By Unanimous Consent.)

The Chair laid before the Senate on third reading,

Senate bill No. 281, A bill to be entitled "An Act to prevent the pollution of the water courses of the State of Texas, providing a penalty therefor, and providing means for the abatement thereof."

The bill was read third time and passed.

Senator McNealus moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

COMMITTEE SUBSTITUTE SENATE BILLS NOS. 10 AND 86.

Senator Hudspeth moved that Committee Substitute Senate bills Nos. 10 and 86 be recalled from the Enrolling Clerk and presented to the Chairman on Enrolled Bills.

The motion prevailed.

(Senator Murray in the chair.)

FREE CONFERENCE COMMITTEE.

By Senator Meachum:

I move that the report of the House for a Free Conference Committee on House bill No. 292 be granted, and that the following be elected on the part of the Senate:

Warren, Willacy, Vaughan, Kauffman, Peeler, Meachum.

The above motion was adopted.

THIRD HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 274, A bill to be entitled "An Act to amend Section 10 of Chapter 30 of the General Laws of the State of Texas, passed by the Thirty-first Legislature (1909), at its Regular Session, approved April 21, 1909, relating to the Texas State Board of Health and Vital Statistics, and to repeal Section 11 of said chapter; providing a penalty for violation of this Act, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SENATE BILL NO. 232.

Senator Johnson moved that the pending order of business (Senate bill No. 48) be suspended, and the Senate take up, out of its order, Senate bill No. 232.

The motion was lost by the following vote, a two-thirds vote being necessary:

Yeas—17.

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| Astin. | Ratliff. |
| Carter. | Real. |
| Hudspeth. | Vaughan. |
| Johnson. | Ward. |
| Kauffman. | Warren. |
| McNealus. | Watson. |
| Paulus. | Weinert. |
| Peeler. | Willacy. |
| Perkins. | |

Nays—11.

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| Bryan. | Murray. |
| Cofer. | Sturgeon. |
| Collins. | Terrell, McLennan |
| Lattimore. | Terrell, Wise. |
| Mayfield. | Townsend. |
| Meachum. | |

Absent.

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| Adams. | Hume. |
| Greer. | |

HOUSE JOINT RESOLUTION NO. 9.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

House Joint Resolution No. 9, A Joint Resolution proposing an amendment to Article 16 of the Constitution of the State of Texas by adding a new section thereto to be entitled Section 30a, providing that the members of the Board of Regents of the State University and the boards of trustees or managers of educational, eleemosynary, and penal institutions and such other boards as have been, or may hereafter be established by law, may be elected or appointed for a term of six (6) years, one-third of the members of said boards to be elected or appointed every two (2) years in the manner provided by law, fixing the time for holding the election, and making the appropriation therefor.

Note.—In the absence of the original resolution, the Secretary of the Senate was, by unanimous consent, directed to endorse same when returned from the printer.

Senator Meachum offered the following amendment:

Amend House Joint Resolution No. 9 by inserting after the words "penal institutions of the State," in Section 1. of the printed resolution, the words:

"Boards of School Trustees in counties, cities and in independent and

common school districts, members of Boards of City Commissioners, Boards of Aldermen and other governing boards of cities, which have been or may hereafter be established by law."

On motion of Senator Watson, the amendment was tabled.

The resolution was read second time, committee report adopted, and having received 29 votes, was ordered adopted, passed finally and proposed; ordered engrossed and transmitted to the House.

The vote on the resolution was as follows:

Yeas—29.

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|------------|-------------------|
| Adams. | Peeler. |
| Astin. | Perkins. |
| Bryan. | Ratliff. |
| Carter. | Real. |
| Cofer. | Sturgeon. |
| Hudspeth. | Terrell, McLennan |
| Hume. | Terrell, Wise. |
| Johnson. | Townsend. |
| Kauffman. | Vaughan. |
| Lattimore. | Ward. |
| Mayfield. | Warren. |
| McNealus. | Watson. |
| Meachum. | Weinert. |
| Murray. | Willacy. |
| Paulus. | |

Present—Not Voting.

Collins.

Absent.

Greer.

SENATE BILL NO. 189.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading.

Senate bill No. 189, A bill to be entitled "An Act to amend Section 62 of Article 642 of the Revised Civil Statutes of the State of Texas, as passed at the Regular Session of the Twenty-ninth Legislature, repealing all laws in conflict herewith, and declaring an emergency."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend printed bill by striking out the word "Companies," in line 14, and inserting in lieu thereof the word "Corporations."

Bill read second time and ordered engrossed.

On motion of Senator Lattimore, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—31.

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| Adams. | Paulus. |
| Astin. | Peeler. |
| Bryan. | Perkins. |
| Carter. | Ratliff. |
| Cofer. | Real. |
| Collins. | Sturgeon. |
| Greer. | Terrell, McLennan |
| Hudspeth. | Terrell, Wise. |
| Hume. | Townsend. |
| Johnson. | Vaughan. |
| Kauffman. | Ward. |
| Lattimore. | Warren. |
| Mayfield. | Watson. |
| McNealus. | Weinert. |
| Meachum. | Willacy. |
| Murray. | |

The bill was read third time and passed by the following vote:

Yeas—31.

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|------------|-------------------|
| Adams. | Paulus. |
| Astin. | Peeler. |
| Bryan. | Perkins. |
| Carter. | Ratliff. |
| Cofer. | Real. |
| Collins. | Sturgeon. |
| Greer. | Terrell, McLennan |
| Hudspeth. | Terrell, Wise. |
| Hume. | Townsend. |
| Johnson. | Vaughan. |
| Kauffman. | Warren. |
| Lattimore. | Watson. |
| Mayfield. | Weinert. |
| McNealus. | Willacy. |
| Meachum. | Ward. |
| Murray. | |

Senator Lattimore moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 6.

On motion of Senator Ward, the pending order of business (Senate bill No. 48) was suspended, and the Senate took up, out of its order, House bill No. 6 by the following vote:

Yeas—26.

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| Adams. | Astin. |
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| Bryan. | Perkins. |
| Carter. | Ratliff. |
| Cofer. | Real. |
| Collins. | Sturgeon. |
| Greer. | Terrell, McLennan. |
| Kauffman. | Terrell, Wise. |
| Lattimore. | Townsend. |
| Mayfield. | Vaughan. |
| Meachum. | Ward. |
| Murray. | Watson. |
| Paulus. | Weinert. |
| Peeler. | Willacy. |

Nays—1.

McNealus.

Present—Not Voting.

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| Hudspeth. | Johnson. |
| Hume. | |

Absent.

Warren.

The Chair laid before the Senate on second reading,

House bill No. 6, A bill to be entitled "An Act making void all assignments, sales or pledges of unearned wages, salary or other compensation for personal services."

There being an adverse committee report with a favorable substitute bill, the committee report was adopted.

Senator Ward offered the following amendment, which was read and adopted:

Amend the bill by adding after Section 1, on page 1, the following:

Section 2. The near approach of the end of the present session of the Legislature and great need of the law on this subject creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and this bill be put on its third reading and final passage.

Senator Ward offered the following amendment, which was read and adopted.

Amend the bill by adding after the word "services" in line 19, on page 2, the following: "And declaring an emergency."

Pending discussion on the above bill, Senator Meachum moved that the Lew Dockstaders Minstrel band be invited to play for the Senate.

The motion prevailed.

The bill was read second time and passed to a third reading.

Senator Ward moved that the Senate be at ease for ten minutes.

Senator McNealus moved that the Senate recess until 2:30 o'clock today.

The motion to recess was lost, and the motion to be at ease for 10 minutes was adopted.

The band here appeared in the gallery and entertained the Senate with appropriate music.

HOUSE BILL NO. 6.

Action recurred on House bill No. 6, and

Senator Ward moved that the constitutional rule requiring bills to be read on three several days be suspended, and the bill be put on third reading and final passage.

The motion was adopted by the following vote:

Yeas—22.

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| Adams. | Paulus. |
| Astin. | Peeler. |
| Bryan. | Perkins. |
| Carter. | Real. |
| Cofer. | Sturgeon. |
| Hudspeth. | Terrell, McLennan |
| Hume. | Townsend. |
| Johnson. | Ward. |
| Kauffman. | Watson. |
| Lattimore. | Weinert. |
| Meachum. | Willacy. |

Nays—6.

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| Collins. | McNealus. |
| Greer. | Murray. |
| Mayfield. | Vaughan. |

Absent.

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| Ratliff. | Warren. |
| Terrell, Wise. | |

Senator Collins made the point of order that the bill was unconstitutional in that it gives the employer the right to declare contract void or valid and in effect gives them the right to legislate.

The Chair overruled the point of order.

Senator Collins offered the following amendment:

Amend the bill by striking out all

after the word "void" in line 22 of the committee substitute.

The amendment was read and lost by the following vote:

Yeas—8.

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| Bryan. | Mayfield. |
| Carter. | McNealus. |
| Collins. | Terrell, Wise. |
| Greer. | Townsend. |

Nays—21.

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| Adams. | Perkins. |
| Astin. | Real. |
| Cofer. | Sturgeon. |
| Hudspeth. | Terrell, McLennan. |
| Hume. | Vaughan. |
| Johnson. | Ward. |
| Kauffman. | Warren. |
| Lattimore. | Watson. |
| Meachum. | Weinert. |
| Murray. | Willacy. |
| Peeler. | |

Absent.

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| Paulus. | Ratliff. |
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The bill was read third time and passed by the following vote:

Yeas—13.

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| Adams. | Sturgeon. |
| Astin. | Terrell, McLennan. |
| Johnson. | Ward. |
| Kauffman. | Warren. |
| Lattimore. | Watson. |
| Meachum. | Willacy. |
| Perkins. | |

Nays—12.

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|-----------|----------------|
| Carter. | Mayfield. |
| Cofer. | McNealus. |
| Collins. | Murray. |
| Greer. | Terrell, Wise. |
| Hudspeth. | Townsend. |
| Hume. | Vaughan. |

Present—Not Voting.

| | |
|---------|-------|
| Bryan. | Real. |
| Peeler. | |

Absent.

| | |
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| Paulus. | Weinert. |
| Ratliff. | |

Senator Ward moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 352.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

Senate bill No. 352, A bill to be entitled "An Act making appropriations for deficiencies in appropriations heretofore made for the support of the State Government for the fiscal years ending August 31, 1908; August 31, 1909; August, 31, 1910, and August 31, 1911, being for claims registered in the Comptroller's office in accordance with law and for outstanding claims not registered, and declaring an emergency."

The bill was read, and Senator Willacy offered the following amendment:

Senate bill No. 352. Amend the printed bill by inserting after the word procedure in line 19, page 1, the following: "And for outstanding claims not registered," and for the support of the State Government up to and inclusive of August 31st, 1911.

Also amend the caption by adding after the word "registered" in line 11, page 1, the following: "And for the support of the State Government up to and inclusive of August 31, 1911."

Also amend by inserting between lines 3 and 4, page 2 of the printed bill the following: "To purchase books and stationery to be used during the fiscal year ending August 31, 1911, \$1000."

Also amend by adding between lines 11 and 12 on page 2, of the printed bill the following: "To pay Horace Vaughan fees as District Attorney of the Fiftieth Judicial District due for the fiscal year beginning December 1, 1897, and ending December 1, 1908, refunded by him under an erroneous ruling of the Attorney General, \$300.00."

Also by adding at the end of Section one the following: "For the support, maintenance and improvements of the State Penitentiaries, to be expended during the fiscal year ending August 31, 1911, \$150,000."

Senator Sturgeon offered the following amendment to the amendments, which was read and adopted: Amend the amendment by striking out the word erroneous.

RECESS.

On motion of Senator Terrell of Wise, the Senate recessed until 3 o'clock today.

AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson and Senator Murray, who was presiding at the time the Senate recessed, was called to the chair.

SIMPLE RESOLUTION.

Resolved, That whereas the people of El Paso evidencing their usual generosity and appreciation of useful and unselfish public service, have presented to the Senator from El Paso (Senator Hudspeth), a beautiful token of their esteem and confidence; Therefore be it

Resolved by the Senate that we congratulate the people of El Paso upon their good fortune in having such splendid and able representative in the Senate, and be it further

Resolved, That we congratulate the Senator from El Paso upon his good fortune in being honored by representing a noble and generous constituency.

Willacy, Adams, Astin, Bryan, Carter, Cofer, Collins, Greer, Hume, Johnson, Kauffman, Lattimore, Mayfield, McNealus, Meachum, Murray, Paulus, Peeler, Perkins, Ratliff, Real, Sturgeon, Terrell of McLennan, Terrell of Wise, Townsend, Vaughan, Ward, Warren, Watson, Weinert.

The resolution was read and unanimously adopted by a rising vote:

FOURTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 10, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 254, A bill to be entitled "An Act to grant a charter for the city of Terrell, in Kaufman county, Texas, validating the acts of the said city as it heretofore existed; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Senate bill No. 356, A bill to be entitled "An Act to create a more efficient road system for Hardin county, Texas, and making county commissioners of said county ex officio road commissioners, etc."

Senate bill No. 361, A bill to be entitled "An Act to authorize the city of Austin to enter into certain contracts and to transfer or lease certain of its property, property rights and franchises, for the purpose of securing for said city the construction of a dam across the Colorado river at or near said city in order to secure a more economical and satisfactory water, light and power system for the use of the people of said city, repealing all laws in conflict herewith, and declaring an emergency."

Concurs in Senate amendments to House bill No. 611, by the following vote, yeas 91, nays 0.

Concurs in Senate amendments to House bill No. 571 by the following vote, yeas 95, nays 0.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SENATE JOINT RESOLUTION NO.
9—HOUSE AMENDMENTS
CONCURRED IN.

Senator Townsend called up,

Senate Joint Resolution No. 9, to amend Section 51 of Article 3 of the Constitution of the State of Texas so as to authorize the grant of aid to indigent and disabled Confederate soldiers and sailors and their widows, and to soldiers who served in the militia and in organizations for the protection of the frontier, and their indigent widows, and to grant aid for the establishment and maintenance of a home for the indigent and dependent wives and widows of Confederate soldiers and sailors, and such women as aided the Confederacy, and authorize a special ad valorem pension tax, and making appropriations for same, with the following House amendments:

Amend Senate Joint Resolution No. 9 by substituting 1900 for 1911 wherever it occurs.

Amend line 31, page 2, by adding after 1911 the following: "Provided that the word widow in the preceding lines of this section shall not apply to women born since 1861."

On motion of Senator Townsend

the above House amendments were concurred in by the following vote:

Yeas—25.

| | |
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| Adams. | Peeler. |
| Astin. | Perkins. |
| Bryan. | Ratliff. |
| Carter. | Real. |
| Cofer. | Sturgeon. |
| Greer. | Townsend. |
| Hudspeth. | Vaughan. |
| Johnson. | Ward. |
| Lattimore. | Warren. |
| Mayfield. | Watson. |
| McNealus. | Weinert. |
| Murray. | Willacy. |
| Paulus. | |

Absent.

| | |
|-----------|--------------------|
| Collins. | Meachum. |
| Hume. | Terrell, McLennan. |
| Kauffman. | Terrell, Wise. |

SENATE BILL NO. 352.

Action recurred on Senate bill No. 352, the question being on the amendment, as amended, and the same was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Willacy the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

| | |
|------------|-----------|
| Adams. | Paulus. |
| Astin. | Peeler. |
| Bryan. | Perkins. |
| Carter. | Ratliff. |
| Cofer. | Real. |
| Collins. | Sturgeon. |
| Greer. | Townsend. |
| Hudspeth. | Ward. |
| Johnson. | Warren. |
| Lattimore. | Watson. |
| Mayfield. | Weinert. |
| McNealus. | Willacy. |
| Murray. | |

Present—Not Voting.

Vaughan.

Absent.

| | |
|-----------|--------------------|
| Hume. | Terrell, McLennan. |
| Kauffman. | Terrell, Wise. |
| Meachum. | |

The bill was read third time and passed by the following vote:

Yeas—24.

| | |
|------------|-----------|
| Adams. | Paulus. |
| Bryan. | Peeler. |
| Carter. | Perkins. |
| Cofer. | Ratliff. |
| Collins. | Real. |
| Greer. | Sturgeon. |
| Hudspeth. | Townsend. |
| Johnson. | Ward. |
| Lattimore. | Warren. |
| Mayfield. | Watson. |
| McNealus. | Weinert. |
| Murray. | Willacy. |

Present—Not Voting.

Vaughan.

Absent.

| | |
|-----------|-------------------|
| Astin. | Meachum. |
| Hume. | Terrell, McLennan |
| Kauffman. | Terrell of Wise. |

Senator Willacy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 386.

The Chair laid before the Senate (local) bill on third reading.

House bill No. 386, A bill to be entitled "An Act to provide for the exemption of Hunt county from the provisions of the County Auditor's Act, being Chapter 161 of the Acts of the Twenty-ninth Legislature, and amended by Chapter 168 of the Thirtieth Legislature, and providing for the submission hereof to a vote of the qualified voters of said county."

The bill was read third time and passed by the following vote:

Yeas—25.

| | |
|------------|-------------------|
| Adams. | Paulus. |
| Astin. | Peeler. |
| Bryan. | Perkins. |
| Carter. | Ratliff. |
| Cofer. | Real. |
| Collins. | Terrell, McLennan |
| Greer. | Terrell, Wise. |
| Hudspeth. | Townsend. |
| Johnson. | Vaughan. |
| Lattimore. | Warren. |
| Mayfield. | Weinert. |
| McNealus. | Willacy. |
| Murray. | |

Present—Not Voting.

Hume.

Sturgeon.

Absent.

Kauffman.

Ward.

Meachum.

Watson.

Senator Perkins moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

REASONS FOR VOTING.

I vote "yea" on House bill No. 386, out of deference to its authors, the local Representatives from Hunt county, the only county affected. I have been besieged to vote against, as well as in favor, of the bill, and my predilections are to oppose the measure. However, I believe consideration and courtesy due the Hunt county Representatives justifies me in voting "yea."

PERKINS,

Senator from Collin, Hunt and Rains.

HOUSE BILL NO. 572.

The Chair laid before the Senate on second reading.

House bill No. 572, A bill to be entitled "An Act to validate and confirm the acts of incorporation of the town of Kosse, in Limestone county, Texas, its boundaries, all ordinances enacted and acts done by the town council thereof, and in accordance with the provisions of Chapter 11, Title 18, of the Revised Statutes of the State of Texas, and all acts amendatory thereof; to declare that this Act shall be admitted as evidence in all courts as proof of the fact and legality of such incorporation, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to third reading.

On motion of Senator Astin the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

| | |
|------------|-------------------|
| Adams. | Paulus. |
| Astin. | Peeler. |
| Bryan. | Perkins. |
| Carter. | Real. |
| Cofer. | Sturgeon. |
| Collins. | Terrell, McLennan |
| Greer. | Terrell, Wise. |
| Hudspeth. | Townsend. |
| Hume. | Vaughan. |
| Johnson. | Ward. |
| Lattimore. | Warren. |
| Mayfield. | Watson. |
| McNealus. | Willacy. |
| Murray. | |

Absent.

| | |
|-----------|----------|
| Kauffman. | Ratliff. |
| Meachum. | Weinert. |

The bill was read third time and passed by the following vote:

Yeas—27.

| | |
|------------|--------------------|
| Adams. | Paulus. |
| Astin. | Peeler. |
| Bryan. | Perkins. |
| Carter. | Ratliff. |
| Cofer. | Real. |
| Collins. | Sturgeon. |
| Greer. | Terrell, McLennan. |
| Hudspeth. | Terrell, Wise. |
| Hume. | Townsend. |
| Johnson. | Vaughan. |
| Lattimore. | Ward. |
| Mayfield. | Warren. |
| McNealus. | Willacy. |
| Murray. | |

Absent.

| | |
|-----------|----------|
| Kauffman. | Watson. |
| Meachum. | Weinert. |

Senator Astin moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 545.

The Chair laid before the Senate on second reading (local bill),

House bill No. 545, A bill to be entitled "An Act to amend Section 76 of the Special Road Laws of Rusk county, Texas, as enacted by the Thirtieth Legislature of Texas, 1909, by amending Section 28, pertaining to the time and pay of county commissioners when supervising roads and adding thereto Section 28a, pertaining to the obstruction of public roads and ditches."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

HOUSE BILL NO. 385.

Senator Vaughan here moved to reconsider the vote by which House bill No. 385 was finally passed by the Senate.

The motion prevailed.

The Chair laid before the Senate on third reading,

House bill No. 385, A bill to be entitled "An Act to create a more efficient road law for Bee county, Texas."

The bill was read third time and passed by the following vote:

Yeas—26.

| | |
|-----------|--------------------|
| Adams. | Peeler. |
| Astin. | Perkins. |
| Bryan. | Real. |
| Carter. | Sturgeon. |
| Cofer. | Terrell, McLennan. |
| Collins. | Terrell, Wise. |
| Greer. | Townsend. |
| Hudspeth. | Vaughan. |
| Hume. | Ward. |
| Johnson. | Warren. |
| Mayfield. | Watson. |
| McNealus. | Weinert. |
| Murray. | Willacy. |

Absent.

| | |
|------------|----------|
| Kauffman. | Paulus. |
| Lattimore. | Ratliff. |
| Meachum. | |

HOUSE BILL NO. 488.

The Chair laid before the Senate on second reading,

House bill No. 488, A bill to be entitled "An Act incorporating the Winnsboro Independent School District in Wood and Franklin counties, Texas, for free school purposes only, defining its boundaries and providing for the board of trustees, divesting the city of Winnsboro of the control of its public schools and title to school property and vesting the same in said Winnsboro Independent School District and its board of trustees, prescribing the rights, powers, privileges and duties of said Winnsboro Independent School District and its board of trustees, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—28.

| | |
|-----------|--------------------|
| Adams. | Peeler. |
| Astin. | Perkins. |
| Bryan. | Ratliff. |
| Carter. | Real. |
| Cofer. | Sturgeon. |
| Collins. | Terrell, McLennan. |
| Greer. | Terrell, Wise. |
| Hudspeth. | Townsend. |
| Hume. | Vaughan. |
| Johnson. | Ward. |
| Mayfield. | Warren. |
| McNealus. | Watson. |
| Meachum. | Weinert. |
| Murray. | Willacy. |

Absent.

| | |
|------------|---------|
| Kauffman. | Paulus. |
| Lattimore. | |

The bill was read third time and passed by the following vote:

Yeas—27.

| | |
|-----------|--------------------|
| Adams. | Peeler. |
| Astin. | Perkins. |
| Bryan. | Ratliff. |
| Carter. | Real. |
| Cofer. | Sturgeon. |
| Collins. | Terrell, McLennan. |
| Greer. | Terrell, Wise. |
| Hudspeth. | Townsend. |
| Hume. | Vaughan. |
| Johnson. | Ward. |
| Mayfield. | Warren. |
| McNealus. | Watson. |
| Meachum. | Willacy. |
| Murray. | |

Absent.

| | |
|------------|----------|
| Kauffman. | Paulus. |
| Lattimore. | Weinert. |

Senator Greer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 506.

The Chair laid before the Senate on second reading (local bill),

House bill No. 506, A bill to be entitled "An Act to amend Section 7 of Chapter 32 of the Laws of the Regular Session of the Twenty-seventh Legislature, being an Act entitled An Act to create a more efficient road system for Clay county, Texas, and making the county commissioners of said county ex officio road commissioners; prescribing their duties as such; providing for their compensation as commissioners; providing for the appointment of deputy road commissioners, and defining their duties; for the working of county convicts partly on farm and partly on public roads or other public works of the county; for compensation of said convicts; offering suitable rewards for recapture of convicts, charging cost of same against said convicts in discretion of said court; providing mode of punishment for insubordination of said convicts; providing for the condemnation of any land needed for road purposes; providing for taking timber, gravel, earth, stone or other material for the improvement of the roads; providing for annual reports of road commissioners and their deputies; for contracting out work when deemed necessary; providing for penalty for violation of this Act, repealing all laws in conflict herewith."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

HOUSE BILL NO. 500.

Senator Cofer called up House bill No. 500, which was on the table subject to call, and

The Chair laid before the Senate on third reading.

House bill No. 500, A bill to be entitled "An Act to amend Sections 2, 21 and 28, of Article 8, and Article 2, by adding thereto Section 35, and Article 3, by adding thereto Section 4a, and Sections 1, 3 and 4 of Article 5, and Sections 1 and 9 of Article 6, and Section 1, 2 and 12, of Article 7, and Sections 16 and 17 of Article 9, of Chapter 33, Special Laws of the Thirtieth Legislature entitled 'An Act granting to Denison, Grayson county, Texas, a new charter of incorporation,'

and as amended by an Act of the Thirty-first Legislature of the State of Texas, at its Third Called Session, and approved August 15, 1910, repealing all laws and parts of laws in conflict herewith, and declaring an emergency; defining the corporate powers of the city of Denison, regulating the election of school trustees, defining their qualifications and duties, regulating contracts for public work, providing for a depository of city funds; regulating the assessing and collection of taxes; defining the city council, providing for the qualifications of the members thereof, fixing their tenure of office, and regulating the election, regulating the appointment and removal of officers and employees, defining the qualifications of the mayor; providing for his election and fixing his tenure of office; fixing the mayor's salary, regulating the number of aldermen, defining their qualifications; providing for their election and fixing their tenure of office; fixing the salary of aldermen, and providing for the election of the mayor, aldermen, school trustees and other officers and heads of departments, and fixing their tenure of office, under the provisions of this Act."

Senator Cofer offered the following amendment:

Amend the bill as follows:

1. Strike out all of the caption between "To be entitled an Act" and the enacting clause and insert the following:

To amend Section 28 of Article 2, and Article 2 by adding thereto Section 35 and Article 3, by adding thereto Section 4a, of chapter 33, Special laws of the Thirtieth Legislature, entitled "An Act granting to Denison, Grayson county, Texas, a new charter of incorporation," and as amended by an Act of the Thirty-first Legislature of the State of Texas, at its third Called Session and approved August 15, 1910, repealing all laws and parts of laws in conflict herewith and declaring an emergency, defining the corporate powers of the city of Denison, regulating contracts for public work, providing for a depository of the city funds, regulating the assessing and collection of taxes, and declaring an emergency.

2. Strike out all after the enacting clause down to the emergency clause, but leaving the emergency clause, and insert in lieu thereof the following:

Section 1. That Section 28 of Article 2, and Article 2 by adding thereto Section 35, and Article 3 by adding thereto Section 4a, Chapter 33 of the Special Laws of the Thirtieth Legislature of the State of Texas, entitled "An Act, granting to Denison, Grayson county, Texas, a new charter of incorporation," and as amended by the Thirty-first Legislature of the State of Texas, at its Third Called session, by and Act entitled "An Act to amend Section 4, Article 5 of Chapter 33, Special Laws of the Thirtieth Legislature," approved August 15, 1910, repealing all laws and parts of laws in conflict herewith, and declaring an emergency, be and the same are hereby amended, so that hereafter the same shall read as follows:

Section 28. Contracts for Service. —No contract shall ever be made which binds the city to pay for personal service to be rendered for any stated period of time; but all contracts involving a personal service shall be restricted to the doing of some particular act or thing, and upon its completion no further liability shall exist on the part of the city.

Nor shall the city of Denison, or any one acting for it, make any contract for supplies for the current use of any department of the municipality for a longer period than ninety days, and so far as practicable, all supplies purchased for the use of any or all of the departments of said city shall be made or let upon competing prices therefor. No contract shall be entered into until after an appropriation has been made therefor, nor in excess of the amount appropriated, and all contracts, whenever practicable, shall be made upon specifications and no contract shall be binding upon the city, unless it has been signed by the mayor and the expenses thereof charged to the proper appropriation, and whenever the contract charged to any appropriation equals the amount of said appropriation no further contracts shall be signed by the mayor.

All contracts, of whatever character, pertaining to public improvement, or the maintenance of public property of said city involving an outlay of as much as two hundred and fifty dollars (\$250.00) shall be based upon specifications to be prepared and submitted to and approved by the mayor and city council, and

after approval by the mayor and city council, advertisements for the proposed work, or matters embraced in said proposed contract shall be made, inviting competitive bids for the work proposed to be done, which said advertisement shall be put in some newspaper not less than ten times. All bids shall be sealed, shall be opened by the mayor in the presence of a majority of the aldermen and shall remain on file in the mayor's office and be open to public inspection for at least forty-eight hours before any award of said work is made to any competitive bidder. The council shall determine the most advantageous bid for the city, and shall enter into contract with the party submitting the lowest secure bid, but shall always, in every advertisement of public work or contract involving as much as two hundred and fifty dollars, reserve the right to reject any and all bids. Pending the advertisement of the work or contract proposed specifications therefor shall be on file in the office of the mayor subject to the inspection of all parties desiring to bid. Provided, that the city council may, when in its judgment the interest of the city demands it, do and perform said work and make said improvements by day labor.

Section 35. Depository for the funds of the city of Denison, Texas. It shall be the duty of the city council, at its first regular meeting in the month of July, 1911, and annually thereafter to receive sealed proposals for the custody of the city funds from any banking corporation, association or individual banker doing business within the city of Denison that may desire to be selected as the depository of the funds of the city. The school funds, from whatever source derived, are part of the city funds and are subject to the provisions of this Act. Notice that such bids will be received shall be published by the city secretary not less than one nor more than four weeks before such meeting, in some newspaper published in the city of Denison.

Any banking corporation, association or individual banker doing business in the city of Denison desiring to bid shall deliver to the city secretary on or before the day of such meeting designated by said published notice, a sealed proposal stating the rate per cent upon daily bal-

ances that said banking corporation, association or individual banker offers to pay to the city of Denison for the privileges of being made the depository of the funds of the city for the year next following the date of such meeting. All such proposals shall be securely kept by the Secretary and shall not be opened until the meeting of the city council for the purpose of passing upon same, nor shall any other proposals be received after they shall have been opened. It shall be a misdemeanor for the city secretary or other person, to open any of said proposals or to disclose, directly or indirectly the amount of any such bid to any person or persons before the selection of such depository, and upon conviction he shall be fined in a sum of not less than ten nor more than one hundred dollars.

The banking corporation, association or individual banker whose proposal shall be accepted shall, within ten days after being officially notified thereof, file with the mayor a good and sufficient bond with not less than five solvent sureties thereon, to be approved by the city council in such sum as said city council may require, to approximate in amount the total estimated funds that may be in its or his possession at any one time, but said bond shall in no event be for less amount than sixty thousand (\$60,000) dollars, upon the filing and acceptance or approval of said bonds, the said banking corporation, association or individual banker shall thereafter, for the term of one year, be designated and known as the city depository of the city of Denison, subject however, to such rules and regulations regarding its connection with the city administration in such capacity as may be prescribed by the mayor or the city council.

Provided, that, at any time the funds in the city depository shall exceed the amount of its bonds, the city council, shall require an additional bond to be executed in such sum as may be deemed requisite and necessary to fully protect the interest of the city, and, in the event of the failure or refusal, from any cause, on the part of the said city depository to execute and file such additional bonds, within ten days after being notified to do so, the city council shall thereupon withdraw from said depository all funds in

excess of the amount of the approved bond then on file and shall deposit such surplus in any other financial institution in said city which will give a good and sufficient bond to indemnify the city for the amount of the deposit so made, subject to the approval of the city council.

All funds collected by any and every official authorized or empowered to collect money on behalf of the city of Denison shall be deposited in such city depository on the same day that it is collected or received by such official. Provided, that any funds collected after banking hours in any day or on a holiday when such city depository shall not be opened for the transaction of business, may be deposited on the following business day. It shall be a misdemeanor for any official to fail to deposit in the city depository all funds collected by him on the day of their collection and upon conviction he shall be fined in a sum not less than ten nor more than one hundred dollars..

Section 4a. It shall also be the duty of every person owning or holding any stock or merchandise in the city or Denison and which are removed to the city of Denison after January 1st of each year, and upon which taxes have not been paid in any other city or county for said year, to render under oath to the Assessor and Collector of taxes or such other officer as may be provided for by ordinance, within the time prescribed by ordinance of said city, a full and complete inventory of such stock of merchandise so owned or held by him and take and subscribe to an oath to the correctness of such inventory, which oath may be administered by the Assessor and Collector or such other officer as aforesaid acting in person or by deputy.

Such stock of merchandise shall be rendered and listed in the manner prescribed by the law of this State and this charter in regard to general taxation.

3. Amend the emergency clause by changing "Section 20" to "Section 2."

The amendment was read and adopted by the following vote:

Yeas—26.

| | |
|--------|---------|
| Astin. | Carter. |
| Bryan. | Cofer. |

77—B.

Collins.
Greer.
Hudspeth.
Hume.
Lattimore.
Mayfield.
McNealus.
Meachum.
Murray.
Paulus.
Peeler.

Perkins.
Real.
Sturgeon.
Terrell, McLennan.
Terrell, Wise.
Townsend.
Vaughan.
Ward.
Warren.
Watson.
Willacy.

Absent.

Adams.
Johnson.
Kauffman.

Ratliff.
Weinert.

The bill was read third time and passed by the following vote:

Yeas—28.

Adams.
Astin.
Bryan.
Carter.
Cofer.
Collins.
Greer.
Hudspeth.
Hume.
Johnson.
Lattimore.
Mayfield.
McNealus.
Meachum.

Murray.
Paulus.
Peeler.
Perkins.
Real.
Sturgeon.
Terrell, McLennan.
Terrell, Wise.
Townsend.
Vaughan.
Ward.
Warren.
Watson.
Willacy.

Absent.

Kauffman.
Ratliff.

Weinert.

Senator Cofer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

FIFTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 287, A bill to be entitled "An Act to adopt and establish a Penal Code and a Code of Criminal Procedure for the State of Texas," with amendments.

Senate bill No. 288, A bill to be entitled "An Act to adopt and estab-

lish the Revised Civil Statutes of the State of Texas, and declaring an emergency" with amendments. Also the report of the Codifying Board.

Senate Bill No. 11, A bill to be entitled "An Act to provide for completing the work of revising, digesting, annotating, indexing, printing and publishing the civil and criminal laws of the State of Texas, making an appropriation, and declaring an emergency," with amendments.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

FREE CONFERENCE COMMITTEE REPORT.

Hon. A. B. Davidson, President of the Senate, and Hon. Sam Rayburn, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, to whom was referred House bill No. 292, have had the same under consideration, and do hereby recommend that the same do pass with the following amendment:

Senate amendment to House bill No. 292. Amend the caption to read as follows: "An Act to amend the Section 8 of Chapter 18 of the General Laws of the First Called Session of the Thirtieth Legislature, and imposing an occupation tax upon fire, fire and marine, marine, marine inland and tornado insurance companies transacting business in this State; prescribing the rate of tax and methods of its measurement; and amending Section 28 of the State Insurance Board law, passed by the Fourth Called Session of the Thirty-first Legislature; and declaring an emergency."

Senate amendments to House bill No. 292: Amend the bill, Section 1, page 3, lines 20 and 21, by striking out the words "fire rating board," and substituting in lieu thereof the following words: "State Insurance Board;" and Section 1, page 3, line 23, after the word "Legislature" add the following words: "and provided further that portion of Section 28 of the State Insurance Board Law which reads as follows; provided, that the collections from insurance companies provided for in this section shall not be made for any year during which any such company shall be liable under the laws of this State to the payment of an occupation tax at a

rate of two and one-half per cent or more of the gross premiums received, less deductions for reinsurance and return premiums on canceled policies," be and the same is hereby repealed.

Respectfully submitted,

VAUGHAN,

WARREN,

WILLACY,

PEELER,

KAUFFMAN,

On the part of the Senate.

WILLIAMS of Dallas,

NICKELS of Hill,

KENNEDY,

CAMP,

ROBERTSON of Travis,

On the part of the House.

The above report was read and adopted, by the following vote:

Yeas—27.

| | |
|-----------|--------------------|
| Adams. | Peeler. |
| Bryan. | Perkins. |
| Carter. | Ratliff. |
| Cofer. | Real. |
| Collins. | Sturgeon. |
| Greer. | Terrell, McLennan. |
| Hudspeth. | Terrell, Wise. |
| Hume. | Townsend. |
| Johnson. | Vaughan. |
| Mayfield. | Ward. |
| McNealus. | Warren. |
| Meachum. | Watson. |
| Murray. | Weinert. |
| Paulus. | |

Present—Not Voting.

Astin.

Absent.

Kauffman.

Willacy.

Lattimore.

HOUSE BILL NO. 14.

(By Unanimous Consent.)

On motion of Senator Meachum, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill. (See Appendix for committee report.)

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate, on second reading,

House bill No. 14, A bill to be en-

titled "An Act to amend Section 19, Chapter 11 of the Acts of the First Called Session of the Twenty-ninth Legislature entitled 'An Act to regulate elections and to provide penalties for its violation and to repeal the Acts of the Twenty-eighth Legislature of 1903, regulating elections, general, special and primary and political conventions, approved April 1, 1903, relating to exemptions from the payment of poll tax and providing that it shall be necessary for persons over sixty years of age to procure but one certificate of exemption.'"

The bill was read second time and passed to a third reading.

Senator Meachum moved to reconsider the vote by which the bill was passed to a third reading. The motion was adopted.

Senator Meachum offered the following amendment, which was read and adopted:

Section 2. The fact that it is important to the interest of the general public that this Act shall go into effect immediately, creates an emergency and an imperative public necessity, which requires a suspension of the constitutional rule requiring bills to be read on three several days, and that this Act take effect and be in force from and after its passage and approval, and it is so enacted.

Senator Meachum offered the following amendment, which was read and adopted:

Amend caption of bill by adding the following: "and declaring an emergency."

MEACHUM,
COFER.

Bill was read second time, and passed to a third reading.

On motion of Senator Meachum, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

| | |
|------------|-----------|
| Adams. | Mayfield. |
| Astin. | McNealus. |
| Bryan. | Meachum. |
| Carter. | Murray. |
| Cofer. | Paulus. |
| Collins. | Peeler. |
| Hudspeth. | Perkins. |
| Hume. | Ratliff. |
| Johnson. | Real. |
| Lattimore. | Sturgeon. |

| | |
|----------------|----------|
| Terrell, Wise. | Watson. |
| Townsend. | Weinert. |
| Vaughan. | Willacy. |
| Warren. | |

Present—Not Voting.

Ward.

Absent

| | |
|-----------|--------------------|
| Greer. | Terrell, McLennan. |
| Kauffman. | |

The bill was read third time and passed.

Senator Meachum moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SIXTH HOUSE MESSAGE.

Hall of House of the Representatives.
Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 150, A bill to be entitled "An Act to amend Section 1 of an Act passed by the Regular Session of the Thirtieth Legislature relating to the selection of juries in counties with cities of certain population."

Senate bill No. 186, A bill to be entitled "An Act to amend Chapter 56 of the Acts of the Regular Session of the Thirty-first Legislature (1909), approved March 17, 1909, relating to 'The State Institution for the Training of Juveniles,' by adding thereto a new article to be known as Article 2947a, providing for religious services at said institution and the employment of a chaplain, and declaring an emergency," with amendments.

Concurs in Senate amendments to House bill No. 288.

Adopted Free Conference Committee report on House bill No. 292.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

FREE CONFERENCE COMMITTEE. ✓

By Senator Weinert:

I move that the Senate do not concur in the House amendments to Senate bill No. 288, and ask for a Free Conference Committee, and upon the part of the Senate the following be

appointed: Sturgeon, Astin, Greer, Meachum, Warren.

The above motion was adopted.

HOUSE BILL NO. 589.

On motion of Senator Peeler, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill. (See Appendix for committee report.)

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate, on second reading (local bill),

House bill No. 589, A bill to be entitled "An Act to amend Section 2, Article 1, of the Special Laws of Texas, passed at the First Called Session of the Thirty-first Legislature, entitled An Act to amend Section 2, Article 1, and Section 2 of Article 12 of the Special Laws of Texas, passed at the Regular Session of the Thirty-first Legislature, entitled An Act to grant a new charter to the city of Austin, Travis county, Texas, repealing all laws and parts of laws in conflict herewith, and declaring an emergency, approved February 3, 1909, so as to define the boundaries of the said city of Austin, and providing the method of levying and collecting taxes in said city, and giving the city council power to compromise and settle the bonded indebtedness of said city, and declaring an emergency, approved March 24, 1909, so as to define the boundaries of the city of Austin, and declaring an emergency."

Bill read second time, and passed to a third reading.

On motion of Senator Peeler, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

| | |
|------------|--------------------|
| Adams. | Meachum. |
| Astin. | Murray. |
| Bryan. | Paulus. |
| Carter. | Peeler. |
| Cofer. | Perkins. |
| Collins. | Real. |
| Greer. | Terrell, McLennan. |
| Hudspeth. | Terrell, Wise. |
| Johnson. | Townsend. |
| Lattimore. | Vaughan. |
| Mayfield. | Ward. |
| McNealus. | Warren. |

Watson.
Weinert.

Willacy.

Absent.

Hume.
Kauffman.

Ratliff.
Sturgeon.

The bill was read third time and passed by the following vote:

Yeas—27.

| | |
|------------|--------------------|
| Adams. | Paulus. |
| Bryan. | Peeler. |
| Carter. | Perkins. |
| Cofer. | Real. |
| Collins. | Terrell, McLennan. |
| Greer. | Terrell, Wise. |
| Hudspeth. | Townsend. |
| Hume. | Vaughan. |
| Johnson. | Ward. |
| Lattimore. | Warren. |
| Mayfield. | Watson. |
| McNealus. | Weinert. |
| Meachum. | Willacy. |
| Murray. | |

Absent.

Astin.
Kauffman.

Ratliff.
Sturgeon.

Senator Peeler moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 186. — HOUSE AMENDMENTS CONCURRED IN.

Senator Mayfield called up

Senate bill No. 186, A bill to be entitled "An Act to amend Chapter 56 of the Acts of the Regular Session of the Thirty-first Legislature (1909), approved March 17, 1909, relating to the State Institution for the Training of Juveniles, by adding thereto a new article to be known as Article 2947a, providing for religious services at said institution and the employment of a chaplain, and declaring an emergency," with the following House amendment:

Amend Senate bill No. 186, by changing \$1000 in line 37, page 1, to \$720.

On motion of Senator Mayfield the Senate concurred in the above House amendment.

HOUSE BILL NO. 598.

On motion of Senator Collins the

Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate on second reading,

House bill No. 598, A bill to be entitled "An Act to preserve and protect wild squirrels in the county of Liberty, in the State of Texas; to provide adequate penalties for the violation of this Act, and the unlawful shipment thereof."

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill by adding at the end of the caption the following, and after the word "thereof," "and creating an emergency."

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill by adding another section at the end of the bill, and to be numbered Section No. 2, reading:

"Sec. 2. The fact that there is no adequate law to protect squirrels in Liberty county, Texas, the near approach of the end of the session, and the crowded condition of the calendar, creates an emergency and an imperative public necessity that constitutional rule requiring bills to be read on three several days, be suspended and that this Act take effect and be in force from and after its passage, and it is so enacted."

Bill read second time and passed to a third reading.

On motion of Senator Collins the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

| | |
|------------|--------------------|
| Adams. | Murray. |
| Astin. | Paulus. |
| Bryan. | Peeler. |
| Carter. | Perkins. |
| Cofer. | Ratliff. |
| Collins. | Real. |
| Hume. | Terrell, McLennan. |
| Johnson. | Terrell, Wise. |
| Lattimore. | Townsend. |
| McNealus. | Vaughan. |
| Meachum. | Ward. |

Warren.
Watson.

Weinert.
Willacy.

Absent.

Greer.
Hudspeth.
Kauffman.

Mayfield.
Sturgeon.

The bill was read third time and passed by the following vote:

Yeas—27.

| | |
|------------|--------------------|
| Adams. | Peeler. |
| Astin. | Perkins. |
| Bryan. | Ratliff. |
| Carter. | Real. |
| Cofer. | Terrell, McLennan. |
| Collins. | Terrell, Wise. |
| Greer. | Townsend. |
| Hume. | Vaughan. |
| Lattimore. | Ward. |
| Mayfield. | Warren. |
| McNealus. | Watson. |
| Meachum. | Weinert. |
| Murray. | Willacy. |
| Paulus. | |

Absent.

Hudspeth.
Johnson.

Kauffman.
Sturgeon.

Senator Collins moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

INVITATION.

By Senator Hume:

Whereas, the International Typographical Union will hold its next session soon in San Francisco, California, and,

Whereas, Cleveland, Ohio; Norfolk, Virginia; Oklahoma City, Oklahoma; Ottawa, Canada, and Houston, Texas, are candidates for the 1912 convention, and

Whereas, the Houston Typographical Union No. 87 is making strong efforts to have the 1912 convention of said organization held in the city of Houston; now, therefore be it

Resolved, That the Senate of the State of Texas hereby join the members of the Houston Typographical Union in their invitation to the International Typographical Union to hold their 1912 convention in the city of Houston, Texas, and tenders to all

members of said International Typographical Union, should this invitation be accepted, the hospitality of the State of Texas.

On motion of Senator Weinert the above invitation was adopted.

HOUSE BILL NO. 586.

The Chair laid before the Senate on third reading.

House bill No. 586, A bill to be entitled "An Act to amend Section 2, Chapter 77, Special Laws of the Regular Session of the Thirtieth Legislature, so as to regulate the pay of the road commissioner of Gillespie county."

The bill was read third time and passed.

HOUSE BILL NO. 580.

The Chair laid before the Senate on second reading.

House bill No. 580, A bill to be entitled "An Act to render more effective and efficient the present road law of the State of Texas in its application and operation in the county of Nueces, providing that each county commissioisner shall be created road commissioisner of their respective commissioners' precinct of said county."

On motion of Senator Willacy the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time and passed to a third reading.

On motion of Senator Willacy the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

| | |
|------------|----------------|
| Adams. | McNealus. |
| Astin. | Meachum. |
| Bryan. | Murray. |
| Carter. | Paulus. |
| Collins. | Peeler. |
| Greer. | Perkins. |
| Johnson. | Ratliff. |
| Lattimore. | Real. |
| Mayfield. | Terrell, Wise. |

Townsend.
Vaughan.
Ward.

Warren.
Weinert.
Willacy.

Absent.

Cofer.
Hudspeth.
Hume.
Kauffman.

Sturgeon.
Terrell, McLennan.
Watson.

The bill was read third time and passed by the following vote:

Yeas—26.

| | |
|------------|--------------------|
| Adams. | Peeler. |
| Astin. | Perkins. |
| Carter. | Ratliff. |
| Cofer. | Real. |
| Collins. | Sturgeon. |
| Greer. | Terrell, McLennan. |
| Johnson. | Terrell, Wise. |
| Lattimore. | Townsend. |
| Mayfield. | Vaughan. |
| McNealus. | Ward. |
| Meachum. | Warren. |
| Murray. | Weinert. |
| Paulus. | Willacy. |

Absent.

Bryan.
Hudspeth.
Hume.

Kauffman.
Watson.

Senator Willacy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 553.

On motion of Senator Watson the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate on second reading.

House bill No. 553, A bill to be entitled "An Act to amend Chapter 3 of the Thirty-first Legislature, and to reorganize the Thirty-fifth Judicial District; to name the counties composing the same; to fix the terms of holding courts therein; to provide for the extension and return of process issued out of said courts; and to re-

peal all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and passed to a third reading.

On motion of Senator Watson the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

| | |
|------------|--------------------|
| Astin. | Peeler. |
| Carter. | Perkins. |
| Cofer. | Real. |
| Collins. | Sturgeon. |
| Greer. | Terrell, McLennan. |
| Hume. | Terrell, Wise. |
| Johnson. | Townsend. |
| Lattimore. | Vaughan. |
| Mayfield. | Ward. |
| McNealus. | Warren. |
| Meachum. | Watson. |
| Murray. | Weinert. |
| Paulus. | Willacy. |

Absent.

| | |
|-----------|-----------|
| Adams. | Kauffman. |
| Bryan. | Ratliff. |
| Hudspeth. | |

The bill was read third time and passed.

SEVENTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 178, A bill to be entitled "An Act amending Chapter 12 of the Acts of the Thirty-first Legislature of the State of Texas, approved February 18, 1909, by adding thereto Sections 50a, 50b, 50c, and Sections 154b, 154c and 154d; providing for the establishment of common county line school districts; providing for the establishment of independent school districts, or school incorporations containing territory within two or more counties; also providing for the change and abolishment of such districts, and providing for the rights, powers and privileges of such county line school districts, as well as the

means and method for the management and control of such school districts."

Senate bill No. 225, A bill to be entitled "An Act conferring certain powers upon the commissioners courts of the counties of this State and authorizing said courts, under such regulations as they may prescribe, to appropriate and use any sum or sums of money not exceeding one thousand (\$1000) dollars per year for farmers' co-operative demonstration work in their respective counties along the same lines as this work is or may be conducted by the United States Department of Agriculture, and prescribing that they may conduct such work jointly in their respective counties with the agents and representatives of the United States Department of Agriculture upon such terms and conditions as may be agreed upon between the agents of the Department of Agriculture and the commissioners court, and declaring an emergency."

Senate bill No. 132, A bill to be entitled "An Act providing for the appointment of official stenographers for district and county courts by the judges thereof, and prescribing their qualifications and duties, and providing for their compensation, and prescribing the time and method of making up and filing statements of facts and bills of exceptions in cases tried in such courts, and repealing Chapter 39 of the First Called Session of the Thirty-first Legislature of Texas, and all other laws and parts of laws in conflict herewith, and declaring an emergency," with amendment.

Respectfully,

BOB BARKER,
Chief Clerk, House of Representatives.

(Lieutenant Governor Davidson in the chair.)

SENATE BILL NO. 11 — HOUSE AMENDMENTS CONCURRED IN.

Senator Sturgeon called up,

Senate bill No. 11, A bill to be entitled "An Act to provide for completing the work of revising, digesting, annotating, indexing, printing and publishing the civil and criminal laws of the State of Texas, making an appropriation, and declaring an emergency," with the following House amendments:

Amend Senate bill No. 11 as follows:

1. Amend Section 6 by striking out the words "seventeen thousand" and inserting in lieu thereof the words "twenty-five thousand."

2. Add at the end of Section 6, Section 7 as follows:

Section 7. There shall be printed and bound for sale a sufficient number of volumes of the Civil and Criminal Statutes to reasonably supply the demand therefor, and the Secretary of State shall estimate the total cost of producing the full edition of said statutes and shall estimate the probable number of volumes that will be sold and shall fix the price at which said statutes shall be sold at such sum as will reimburse the State for all moneys expended in producing said books.

3. Amend the bill by numbering the present Section 7 of the bill as Section 8.

4. Amend the caption of bill as follows: Insert after the word "appropriation" and the word "and," the following: "providing for fixing the price at which said statutes shall be sold and for the sale thereof."

On motion of Senator Sturgeon the amendments were concurred in.

MESSAGES FROM THE GOVERNOR.

Executive Office,
State of Texas.

Austin, Texas, March 10, 1911.

To the Senate:

I respectfully ask the advice and the consent of the Senate to the appointment of the persons named in the attached lists as Notaries Public in and for the counties named therein.

Respectfully submitted,

O. B. COLQUITT,
Governor of Texas.

See appendix for Notaries as provided for.

Executive Office,
State of Texas.

Austin, Texas, March 10, 1911.

To the Senate:

The advice and consent of the Senate is respectfully asked to the appointment of the persons named in the attached lists as Notaries Public in and for the counties therein named.

Respectfully submitted,

O. B. COLQUITT,
Governor of Texas.

See appendix for Notaries as provided for.

SENATE BILL NO. 132 — HOUSE AMENDMENTS CONCURRED IN.

Senator Watson called up,

Senate bill No. 132, A bill to be entitled "An Act providing for the appointment of official stenographers for district and county courts by the judges thereof, and prescribing their qualifications and duties, and providing for their compensation, and prescribing the time and method of making up and filing statements of facts and bills of exception in cases tried in such courts, and repealing Chapter 39 of the First Called Session of the Thirty-first Legislature of Texas, and all other laws and parts of laws in conflict herewith, and declaring an emergency," with the following House amendments:

Amend Senate bill No. 132, page 7, Section 14, line 17, by commencing after the word "cases" in said line and striking out the following: "And the sum of five thousand dollars out of any funds in the State Treasury not otherwise appropriated is hereby appropriated for said purpose."

On motion of Senator Watson the above House amendments were concurred in.

MESSAGE FROM THE GOVERNOR.

Executive Office,
State of Texas.

Austin, Texas, March 10, 1911.

To the Senate:

Senate bill No. 68, being "An Act to amend Section 129, Acts of the Twenty-ninth Legislature of Texas, relating to scholastic age and to amend Section 89, Chapter 124, of the Acts of the Twenty-ninth Legislature relating to the scholastic census and declaring an emergency," is herewith returned to the Senate without approval.

The bill increases the scholastic age from 17 to 20 years. According to the last scholastic census there were 968,269 children in this State entitled to the benefits of the public free schools. The Automatic Tax Board, prior to my incumbency of the Governor's office, fixed the tax rate for public free school purposes at sixteen and two-thirds cents on the hundred dollars, and the State Board of Education apportioned \$6.50 per

capita for the scholastic year ending August 31, 1911. The bill herewith returned contains an emergency clause and becomes effective immediately upon its approval, thus increasing the scholastic population by enactment of the Legislature, estimated at two hundred thousand. Under the present law the State is undertaking to give free education to all of its children between the ages of seven and seventeen years, making ten years during which time the child has an opportunity to get a common school education.

There is no man in Texas more earnestly in favor of public schools than myself, but when the State furnishes to its children ten years of free school training and in addition provides a splendid University and the Agricultural and Mechanical College and four splendid Normal Schools at which they can round out and complete their education on free tuition I am of the opinion that it is an adequate and generous provision on the part of the State. If the scholastic age is increased the scholastic apportionment would have to be reduced or else the school tax rate increased. I do not believe there is any public demand that the scholastic age should be increased.

There are other valid and good objections to the bill but the foregoing constitutes abundant reasons for disapproval of this proposed measure.

Respectfully submitted,

O. B. COLQUITT,
Governor of Texas.

EXECUTIVE SESSION—TIME SET FOR.

Senator Weinert moved that the Senate go into Executive session tomorrow morning at 9 o'clock for the purpose of considering the appointments sent to the Senate by the Governor on yesterday and today, the same being that of notaries public and other appointments.

The motion prevailed.

(Senator Murray in the chair.)

HOUSE BILL NO. 587.

On motion of Senator McNealus the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate on second reading.

House bill No. 587, A bill to be entitled "An Act creating the Garland Independent School District in Dallas county, Texas, so as to include the territory situated within the bounds of the town of Garland, in the county of Dallas and State of Texas, and other lands and territory adjacent thereto, providing for the election of a board trustees to manage and control the public free schools within said district and for the continuance in office of certain trustees until said election; investing the said district with the powers, rights and duties of independent school districts conferred by General Laws upon incorporations incorporated for free school purposes only, empowering said district to take over all school money belonging to and all free school properties situated within said district; imposing upon it the discharge of the obligations of said territory for school purposes; prescribing limitations and declaring an emergency."

Bill read second time and passed to a third reading.

On motion of Senator McNealus the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

| | |
|------------|--------------------|
| Adams. | Peeler. |
| Bryan. | Perkins. |
| Carter. | Ratliff. |
| Cofer. | Real. |
| Collins. | Sturgeon. |
| Greer. | Terrell, McLennan. |
| Hudspeth. | Terrell, Wise. |
| Johnson. | Townsend. |
| Lattimore. | Vaughan. |
| Mayfield. | Ward. |
| McNealus. | Warren. |
| Meachum. | Weinert. |
| Murray. | Willacy. |

Present—Not Voting.

| | |
|----------|---------|
| Astin. | Paulus. |
| | Absent. |
| Hume. | Watson. |
| Kauffman | |

The bill was read third time and passed by the following vote:

Yeas—28.

| | |
|------------|--------------------|
| Adams. | Peeler. |
| Astin. | Perkins. |
| Bryan. | Ratliff. |
| Carter. | Real. |
| Cofer. | Sturgeon. |
| Collins. | Terrell, McLennan. |
| Greer. | Terrell, Wise. |
| Hudspeth. | Townsend. |
| Johnson. | Vaughan. |
| Lattimore. | Ward. |
| Mayfield. | Warren. |
| McNealus. | Watson. |
| Meachum. | Weinert. |
| Murray. | Willacy. |
| Paulus. | |

Absent.

Hume. Kauffman.

Senator McNealus moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 520.

The Chair laid before the Senate on third reading,

House bill No. 520, A bill to be entitled "An Act to amend Section 2 of Chapter 30, of the Special Laws of the Thirty-first Legislature, being 'An Act to create a road commission for Jones, Haskell and Taylor counties,' so as to increase the compensation allowed to county commissioners when acting as road commissioners."

The bill was read third time and passed.

(Lieutenant Governor Davidson in the chair.)

HOUSE BILL NO. 279.

On motion of Senator Real the pending order of business (Senate bill No. 48) was suspended, and the Senate took up, out of its order, House bill No. 279 by the following vote:

Yeas—19.

| | |
|-----------|----------|
| Adams. | Meachum. |
| Astin. | Murray. |
| Carter. | Paulus. |
| Hudspeth. | Peeler. |
| Johnson. | Perkins. |
| McNealus. | Real. |

| |
|----------------------------|
| Terrell, McLennan, Warren. |
| Terrell, Wise. Watson. |
| Townsend. Weinert. |
| Vaughan. |

Nays—3.

| | |
|----------|-----------|
| Cofer. | Sturgeon. |
| Collins. | |

Absent.

| | |
|------------|-----------|
| Bryan. | Mayfield. |
| Greer. | Ratliff. |
| Hume. | Ward. |
| Kauffman. | Willacy. |
| Lattimore. | |

The Chair laid before the Senate, on second reading,

House bill No. 279, A bill to be entitled "An Act constituting Bexar county the 37th, 45th, 57th and 70th Judicial Districts; providing for the present judges of the 37th, 45th and 57th Judicial Districts to continue to hold their offices for the respective terms for which they were elected; the appointment of a suitable person by the Governor as judge of the 70th Judicial District to hold until the next general election; prescribing the jurisdiction of said courts and providing for the election of judges thereof and for the district attorney of the 37th Judicial District; providing for making up a docket for the 70th Judicial District Court from the dockets of the other three courts, prescribing how cases shall be numbered and filed in the several courts, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

Senator Real moved that the constitutional rule requiring bills to be read on three several days be suspended, and the bill put on its third reading and final passage.

The motion was lost by the following vote, a four-fifth vote being necessary.

Yeas—19.

| | |
|------------|--------------------|
| Adams. | Murray. |
| Astin. | Paulus. |
| Carter. | Peeler. |
| Hudspeth. | Perkins. |
| Johnson. | Real. |
| Lattimore. | Terrell, McLennan. |
| McNealus. | Townsend. |
| Meachum. | Vaughan. |

Warren.
Watson.

Weinert.

Nays—2.

Cofer.

Collins.

Absent.

Bryan.
Greer.
Hume.
Kauffman.
Mayfield.

Ratliff.
Sturgeon.
Terrell, Wise.
Ward.
Willacy.

REASONS FOR VOTING.

I vote "yea" because the information I have as to the necessity for the creation of the proposed court is conflicting and I can find no better way to determine the matter than by voting with the Senator from that district.

VAUGHAN.

Senator Collins moved that the vote by which the Senate refused to suspend the constitutional rule, be reconsidered, which motion prevailed.

On motion of Senator Real the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Adams.
Astin.
Bryan.
Carter.
Collins.
Greer.
Hudspeth.
Johnson.
Lattimore.
McNealus.
Meachum.
Murray.
Paulus.

Peeler.
Perkins.
Real.
Sturgeon.
Terrell, McLennan.
Terrell, Wise.
Townsend.
Vaughan.
Ward.
Warren.
Watson.
Weinert.

Nays—1.

Cofer.

Absent.

Hume.
Kauffman.
Mayfield.

Ratliff.
Willacy.

The bill was read third time and passed by the following vote:

Yeas—21.

Adams.
Astin.
Bryan.
Carter.
Hudspeth.
Johnson.
Lattimore.
McNealus.
Meachum.
Murray.
Paulus.

Peeler.
Perkins.
Real.
Terrell, McLennan.
Townsend.
Vaughan.
Ward.
Warren.
Watson.
Weinert.

Nays—5.

Cofer.
Collins.
Greer.

Sturgeon.
Terrell, Wise.

Absent.

Hume.
Kauffman.
Mayfield.

Ratliff.
Willacy.

EIGHTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 221, A bill to be entitled "An Act authorizing and directing the Governor of the State of Texas to convey to the Texas District of the German Evangelical Synod of North America about three acres of land out of original survey 25 in the name of Anselmo Galvan, about five miles south of the city of San Antonio, in Bexar county, Texas; also about nine 6.10 acres of land out of survey 36 in the name of William Small, about five miles south of the city of San Antonio, in Bexar county, Texas, said conveyance of land to be made upon the condition that the grantee and its assigns shall for all time use the above described property as an asylum, institution or home for the care of widows, orphans and old people, and for the erection of schools, colleges or hospitals, and upon the further condition that this property is never to be given as security for a debt, and shall never be taken for a debt, and that if grantee or its assigns should fail to so use said property, fee simple title thereto shall revert to the State of Texas."

Senate bill No. 313, A bill to be entitled "An Act to amend Section 10, of Chapter 79, of the General Laws passed by the Twenty-seventh Legislature, which said chapter was also amended by the Acts of the Thirty-first Legislature of 1909, creating a more efficient road system for Brown county, Texas, and making the county commisisoners of said county ex officio road commissioners and prescribing their duties as such, and providing for their compensation as such road commissioners," with amendments.

Senate bill No. 348, A bill to be entitled "An Act to provide for the protection of the fish and oysters within tide water limits along the gulf coast of this State from the most interior point of tide water seaward co-extensive with the jurisdiction of the State and the fish in such fresh water lakes inland as may be owned by the State; and to provide for the sale and protection of all marl and sand of commercial value and all shells that may be in or upon the bottoms of any lake, bay and shallow water, and in or upon all islands, reefs and bars that may be within the limits herein defined; and the placing of said islands, lakes and bays and the shells, sand and marl that may be in or upon the said bottoms or in or upon the said islands, lakes, bays, reefs and bars under the jurisdiction and control of the Fish and Oyster Commissioner, for the purpose of selling and protecting the said shells, marl and sand; and providing that the proceeds arising from the sale of said shells, marl and sand shall be credited to the fish and oyster fund and be expended in the execution of this Act and in establishing fish hatcheries on the coast or elsewhere, and in locating oyster beds, and reserving fresh water lakes from sale; and providing penalties for the violation of this Act, and appropriating to certain funds the proceeds from sale and fines arising under this Act, and declaring an emergency," with amendments.

Grants the request of the Senate for a Free Conference Committee on Senate bill No. 288. The following have been appointed on part of the House: Messrs. Buchanan, Wortham, Lee, Cox of Rockwall and Rowell.

Also returns supplemental report

of commissioners to revise and codify laws.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

NINTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 10, 1911.
Hon. A. B. Davidson, President of
the Senate.

Sir: I am directed by the House to inform the Senate that the House concurs in Senate amendments to House bill No. 500.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SENATE BILL NO. 221 — HOUSE AMENDMENTS CONCURRED IN.

Senator Weinert called up.

Senate bill No. 221, A bill to be entitled "An Act authorizing and directing the Governor of the State of Texas to convey to the Texas District of the German Evangelical Synod of North America about three acres of land out of original survey 25 in the name of Anselmo Galvan, about five miles south of the city of San Antonio, in Bexar county, Texas; also about nine 6.10 acres of land out of survey 36 in the name of William Small, about five miles south of the city of San Antonio, in Bexar county, Texas, said conveyance of land to be made on the condition that the grantee and its assigns shall for all times use the above described property as an asylum, institution or home for the care of widows, orphans and old people, and for the erection of schools, colleges or hospitals, and upon the further condition that this property is never to be given as security for a debt, and shall never be taken for a debt, and that if grantee or its assigns should fail to so use said property, fee simple title thereto shall revert to the State of Texas," with the following House amendment:

Amend Senate bill No. 221 by adding Section 2 to read as follows:

"Sec. 2. The crowded condition of the calendar and the near approach of the end of the session creates an emergency and imperative public necessity, requiring that the rule requiring bills to be read on three

several days be suspended and this Act take effect and be in force from and after its passage."

Amend Section 1 of the bill by inserting after the word "dollar" the following: "and on condition that the German Evangelical Synod of North America release to the State by quit claim deed all the right, title and interest it has in about three-quarters of an acre, more or less, of land which is now enclosed by the fence surrounding the grounds of the Southwestern Insane Asylum."

Senator Weinert moved that the Senate concur in the above House amendment, which motion prevailed by the following vote:

Yeas—26.

| | |
|------------|--------------------|
| Adams. | Paulus. |
| Astin. | Peeler. |
| Bryan. | Perkins. |
| Carter. | Ratliff. |
| Cofer. | Real. |
| Collins. | Sturgeon. |
| Greer. | Terrell. McLennan. |
| Hudspeth. | Townsend. |
| Johnson. | Vaughan. |
| Lattimore. | Ward. |
| McNealus. | Warren. |
| Meachum. | Watson. |
| Murray. | Weinert. |

Absent.

| | |
|-----------|----------------|
| Hume. | Terrell, Wise. |
| Kauffman. | Willacy. |
| Mayfield. | |

SENATE BILL NO. 348 — HOUSE AMENDMENTS CONCURRED IN.

Senator Murray called up,

Senate bill No. 348, A bill to be entitled "An Act to provide for the protection of the fish and oysters within tide water limits along the gulf coast of this State from the most interior point of tide water seaward co-extensive with the jurisdiction of the State and the fish in such fresh water lakes inland as may be owned by the State; and to provide for the sale and protection of all marl and sand of commercial value and all shells that may be in or upon the bottoms of any lake, bay and shallow water, and in or upon all islands, reefs and bars that may be within the limits herein defined; and the placing of said islands, lakes and bays, and the shells, marl and sand

that may be in or upon the said islands, lakes, bays, reefs and bars under the jurisdiction and control of the Fish and Oyster Commissioner for the purpose of selling and protecting the said shells, marl and sand; and providing that the proceeds arising from the sale of said shells, marl and sand, shall be credited to the fish and oyster fund and be expended in the execution of this Act and in establishing fish hatcheries on the coast or elsewhere and in locating oyster beds, and reserving fresh water lakes from sale; and providing penalties for the violation of this Act, and appropriating to certain funds the proceeds from sale and fines arising under this Act, and declaring an emergency," with the following House amendments:

House amendments to Senate bill No. 348: Amend Section 8, page 4, of Senate bill No. 348 as follows: Insert after the word "Act" and before the word "but" in line 17, the following: "And this whether such county, subdivision of a county, city or town, does the work under its own supervision or by contract."

Amend Section 6, Senate bill No. 348, page 4, as follows: Strike out all after the word "town" in line 12, down to and including the word "part" in line 14.

Amend Section 6, of Senate bill No. 348, by inserting after the word "county" wherever it appears in the Section "or any subdivision of a county."

1. Amend Senate bill No. 348, by adding "or mudshell" after "shell" whenever "shell" occurs in bill.

2. Strike out Section 9, page 5, lines 1 and 2, "and complied with all the requirements of said Commissioner."

3. "By and with the approval of the Governor."

Senator Murray moved that the Senate concur in the above House amendments, which motion prevailed by the following vote:

Yeas—24.

| | |
|-----------|------------|
| Adams. | Lattimore. |
| Astin. | McNealus. |
| Bryan. | Meachum. |
| Carter. | Murray. |
| Collins. | Paulus. |
| Greer. | Peeler. |
| Hudspeth. | Ratliff. |
| Johnson. | Real. |

Sturgeon. Ward.
Terrell, McLennan Warren
Townsend. Watson.
Vaughan. Weinert.

Absent.

Cofer. Perkins.
Hume. Terrell, Wise.
Kauffman. Willacy.
Mayfield.

SPECIAL COMMITTEE.

In accordance with a simple resolution, adopted today, providing for a committee to arrange for the Post-session clerical work, the Chair appointed the following as the committee: Senators Meachum, Murray, Carter, Terrell of Wise and Real.

RECESS.

Senator Ratliff here moved that the Senate recess until 8:30 o'clock tonight.

The motion prevailed.

AFTER RECESS.

(Night Session.)

The Senate was called to order by Lieutenant Governor Davidson.

HOUSE BILL NO. 25.

(District No. 20, by unanimous consent.)

The Chair laid before the Senate, House bill No. 25, A bill to be entitled "An Act to create the Seventh Supreme Judicial District of the State of Texas, to provide for the appointment of the judges thereof, for the transfer of certain cases on appeal or writ of error thereto, and to repeal all laws in conflict herewith."

On motion of Senator Peeler, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

Senator Peeler offered the following amendment, which was read and adopted:

Amend the bill by adding after the caption "and declaring an emergency."

Bill read second time, and passed to a third reading.

On motion of Senator Peeler, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

| | |
|------------|-------------------|
| Adams. | Paulus. |
| Astin. | Peeler. |
| Bryan. | Ratliff. |
| Carter. | Real. |
| Cofer. | Sturgeon. |
| Collins. | Terrell, McLennan |
| Greer. | Terrell, Wise. |
| Hudspeth. | Townsend. |
| Johnson. | Vaughan. |
| Kauffman. | Warren |
| Lattimore. | Watson. |
| Mayfield. | Willacy. |
| Meachum. | |

Present—Not Voting.

McNealus.

Absent.

| | |
|----------|----------|
| Hume. | Ward. |
| Murray. | Weinert. |
| Perkins. | |

The bill was read third time and passed by the following vote:

Yeas—25.

| | |
|------------|--------------------|
| Adams. | Peeler. |
| Astin. | Ratliff. |
| Bryan. | Real. |
| Carter. | Sturgeon. |
| Cofer. | Terrell, McLennan. |
| Collins. | Terrell, Wise. |
| Greer. | Townsend. |
| Hudspeth. | Vaughan. |
| Johnson. | Ward. |
| Lattimore. | Warren. |
| Mayfield. | Watson. |
| Meachum. | Willacy. |
| Paulus. | |

Present—Not Voting.

McNealus.

Absent.

| | |
|-----------|----------|
| Hume. | Perkins. |
| Kauffman. | Weinert. |
| Murray. | |

Senator Peeler moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

Senator Terrell of McLennan asked

unanimous consent to take up House bill No. 74, but there was objection.

HOUSE BILL NO. 315.

(District No. 23, by unanimous consent.)

The Chair laid before the Senate, on second reading,

House bill No. 315, A bill to be entitled "An Act to authorize the commissioners' court of the several counties of Texas to create and establish drainage districts, to construct canals, drains and ditches, to make other improvements for the purpose of drainage; to order and hold elections for the purpose of voting on drainage propositions, and authorizing the issuance of bonds and levy of tax, and to issue bonds in payment of such drainage improvements and the maintenance thereof, and to order and hold elections for the purpose of authorizing construction of additional improvement to be paid for out of surplus money to the credit of such district, and to levy, assess and collect taxes for the payment of such bonds and expenses of assessing and collecting such tax; to appoint drainage commissioners and all other necessary officers of such drainage district for the purpose of carrying into effect the provisions of this Act; granting the right of eminent domain to such drainage districts, and authorizing the drainage commissioner to acquire by purchase, gift, grant, or by condemnation, for such district, the title to any right of way and other property and providing for the payment therefor; and generally, authorizing the commissioners' court and the drainage commissioners to do all things necessary for the establishing and maintenance of such districts and the construction of additional improvements according to the provisions of this Act, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Senator Meachum offered the following amendment, which was read and adopted:

Amend caption of the enrolled bill by adding after the word "penalty" the following: "Providing that suits contest the formation of drainage districts or bonds issued thereby shall be instituted in the name of the State of Texas by the Attorney General."

Senator Meachum offered the following amendment, which was read and adopted:

Amend the enrolled bill by adding Section 24a to read as follows:

"No suit shall be permitted to be brought in any court of this State contesting of enjoining the validity of the formation of any drainage district created under the provisions of this Act or bonds issued hereunder except in the name of the State of Texas by the Attorney General upon his own motion, or upon the motion of any party affected thereby upon good cause shown. If for any reason the provisions of this Section shall be held invalid the same shall not in any manner effect the other provisions of this Act."

Bill read second time, and passed to a third reading.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

| | |
|------------|--------------------|
| Adams. | Peeler. |
| Astin. | Perkins. |
| Bryan. | Ratliff. |
| Carter. | Real. |
| Cofer. | Sturgeon. |
| Collins. | Terrell, McLennan. |
| Greer. | Terrell, Wise. |
| Hudspteh. | Townsend. |
| Kauffman. | Vaughan. |
| Lattimore. | Ward. |
| Mayfield. | Warren. |
| McNealus. | Watson. |
| Meachum. | Willacy. |
| Paulus. | |

Absent.

| | |
|----------|----------|
| Hume. | Murray. |
| Johnson. | Weinert. |

The bill was read third time and passed.

Senator Willacy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

TENTH HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 169, A bill to be entitled "An Act conferring authority upon the Railroad Commission, and making it its duty to adopt all necessary rates, charges and regulations to govern and regulate wharf companies and terminal railroad companies; providing that all laws made and prescribed for the government and control of railroads shall, as far as applicable, be of equal force against such wharf and terminal companies; authorizing the Commission to require reports by such companies, and giving to said Commission power to correct abuses and prevent unjust discrimination and extortion in rates or charges of such companies or any abuses by such companies; providing penalties for the violation of this Act, and declaring an emergency."

Senate bill No. 334, A bill to be entitled "An Act to amend Sections 1, 3 and 4 of Chapter 117 of the Acts of the Regular Session of the Thirty-first Legislature, being an Act entitled 'An Act to define and regulate the practice of professional nursing, create a Board of Nurse Examiners for the examination and licensing of nurses, and to prescribe their qualifications, to provide for their proper registration and for the revocation of certificates and to fix suitable penalties for the violation of this Act,' and declaring an emergency." with amendments.

Refused to concur in Senate amendments to House bill No. 6, and request the appointment of a Free Conference Committee. The following have been appointed on part of the House: Messrs. Kennedy, Campbell, Spradley, Rogers and Byrne.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SENATE BILL NO. 334—HOUSE AMENDMENTS CONCURRED IN.

Senator Meachum called up.

Senate bill No. 334, A bill to be entitled "An Act to amend Sections 1, 3 and 4 of Chapter 117 of the Acts of the Regular Session of the Thirty-first Legislature, being an Act entitled 'An Act to define and regulate the practice of professional nursing, create a Board of Nurse Examiners for the examination and licensing of nurses, and to prescribe their qualifications, to provide for their proper registration and for the revocation of

certificates and to fix suitable penalties for the violation of this Act, and declaring an emergency," with the following House amendments:

Amend Senate bill No. 334 as engrossed by adding after the word Act and before the word and in line 16 of the engrossed bill the following:

"So as to define and regulate the practice of professional nursing, create a Board of Nurse Examiners for the examinations and licensing of nurses, reducing and providing for the registration fee, prescribe their qualification, to provide for the proper registration and for the revocation of certificate and to fix suitable penalties for the violation of this Act."

Senator Meachum moved that the Senate concur in the above House amendments, which motion prevailed by the following vote:

Yeas—26.

| | |
|------------|--------------------|
| Adams. | Peeler. |
| Astin. | Perkins. |
| Carter. | Ratliff. |
| Cofer. | Real. |
| Collins. | Sturgeon. |
| Greer. | Terrell, McLennan. |
| Hudspeth. | Terrell, Wise. |
| Johnson. | Townsend. |
| Kauffman. | Vaughan. |
| Lattimore. | Ward. |
| McNealus. | Warren. |
| Meachum. | Watson. |
| Paulus. | Willacy. |

Absent

| | |
|-----------|----------|
| Bryan. | Murray. |
| Hume. | Weinert. |
| Mayfield. | |

ELEVENTH HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, March 10, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House concurs in Senate amendments to House bill No. 25.

Requests the Senate to return Senate bill No. 132 to the House for further consideration.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SENATE BILL NO. 132—REFUSED TO RETURN TO HOUSE.

Senator Watson moved that the Senate refuse to grant the request of the House for the return of Senate bill No. 132.

The motion prevailed.

FREE CONFERENCE COMMITTEE.

By Senator McNealus:

Resolved, that the Senate at the request of the House elect the following as Senate members of the Free Conference Committee on House bill No. 6: Hudspeth, Collins, Townsend, Terrell of Wise, Vaughan, Meachum, Sturgeon.

Senator Ward offered the following substitute for the above motion:

I offer the substitute to the resolution offered by the Senator of Dallas. The following names to be appended: Kauffman, Ward, Meachum, Sturgeon, Warren.

SENATE BILL NO. 287—HOUSE AMENDMENTS CONCURRED IN.

Senator Sturgeon called up,

Senate bill No. 287, A bill to be entitled "An Act to adopt and establish a 'Penal Code' and a 'Code of Criminal Procedure' for the State of Texas," with the following House amendments:

House amendments to Senate bill No. 287:

Amend the caption of Senate bill No. 287 by inserting before the word "an" the following: "A bill to be entitled."

Amend Senate bill No. 287, Section 1, after the word "following," these words: "Titles, Chapters and."

Amend Senate bill No. 287, by adding thereto Section 3, as follows:

Sec. 3. It is provided, however, that the annotations under the several Articles of the Penal Code and Code of Criminal Procedure shall not be construed to be any part of either of said codes.

Amend Senate bill No. 287 by adding at the end thereof a new section or article to read as follows. "Nothing in this Act shall be construed or held to repeal or in anywise affect the validity of any law or act passed by this Legislature in its regular session."

(President Pro. Tem. Hudspeth in the chair.)

78—S.

Senator Sturgeon moved that the Senate concur in the above House amendments, which motion prevailed.

TWELFTH HOUSE MESSAGE.

Hall of the House of Representatives, Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 263, A bill to be entitled "An Act to authorize cities, acting under special charters granted by the Legislature of the State of Texas, to carry out existing contracts or make contracts with railway companies to erect and complete viaducts, to abolish and close portions of streets crossed by railroad tracks, to issue viaduct bonds not to exceed ten thousand (\$10,000) dollars to pay for right of way for viaducts and damages, if any, to abutting property owners, and to give to such cities the right of eminent domain and power to condemn all land necessary for right of way for viaducts, and to confer authority upon such cities to compel railway companies to comply with contracts to construct and complete viaducts, and to declare an emergency," with amendments.

Concurs in Senate amendments to House bill No. 315.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

FREE CONFERENCE COMMITTEE REPORT.

By Senator Sturgeon:

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate, and Hon. Sam Rayburn, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, appointed by the Senate and the House to adjust the differences between the House and Senate on Senate bill No. 288, beg leave to report that we have had same under consideration and recommend that the amendment of the House be adopted with the following amendment to the amendment:

"Article 5903a. That all money or moneys heretofore or hereafter collected by the officers and employes

of the Agricultural and Mechanical College, under the provisions of the Pure Feed Acts, passed by the Twenty-ninth Legislature, being Chapters 108 and 118 of said Acts, and amended by Chapter 131, Acts of the Thirtieth Legislature, regulating the sale of concentrated commercial feed stuffs and so forth, and paid into the State Treasury, and not heretofore expended for and on behalf of the Agricultural and Mechanical College, be and the same are hereby transferred and appropriated to the use and benefit of the Agricultural and Mechanical College of Texas, and the Treasurer of this State shall keep an account on his books to be designated and known as pure feed fund of the Agricultural and Mechanical College, and to which said fund he shall at once transfer from the general fund all funds heretofore collected and paid into the general fund by said Pure Feed Department of the Agricultural and Mechanical College under said Acts (and not expended for the use of the Agricultural and Mechanical College), and shall place all funds hereafter collected under said Acts to said fund.

"Article 5903b. Said fund so appropriated and collected shall be used by the Board of Directors of the Agricultural and Mechanical College for making all necessary repairs at the Agricultural and Mechanical College, erection of buildings and other improvements, and for such other purposes as may be deemed advisable by the Board of Directors, and said funds shall be paid out by the State Treasurer on warrants issued by the president and secretary of the Board of Directors. The said Board of Directors, shall on the thirty-first day of August of each year file a sworn report with the Governor, giving an itemized statement of all receipts and disbursements of said fund for the year ending on said date."

We recommend that this report be adopted, and that the bill do pass and be not printed.

STURGEON,
WARREN,
ASTIN,
MEACHUM,
GREER,

On the part of the Senate.

COX of Rockwall,
BUCHANAN,
ROWELL,
WORTHAM,
LEE,

On the part of the House.

The above report was read and adopted by the following vote:

Yeas—29.

| | |
|------------|--------------------|
| Adams. | Peeler. |
| Astin. | Perkins. |
| Bryan. | Ratliff. |
| Carter. | Real. |
| Cofer. | Sturgeon. |
| Collins. | Terrell, McLennan. |
| Hudspeth. | Terrell, Wise. |
| Johnson. | Townsend. |
| Kauffman. | Vaughan. |
| Lattimore. | Ward. |
| Mayfield. | Warren. |
| McNealus. | Watson. |
| Meachum. | Weinert. |
| Murray. | Willacy. |
| Paulus. | |

Absent.

Greer.

Hume.

FREE CONFERENCE COMMITTEE.

Action here recurred on the motion for the election of a Free Conference Committee on House bill No. 6, the question being on the substitute motion. The substitute motion was adopted by the following vote:

Yeas—15.

| | |
|------------|--------------------|
| Adams. | Peeler. |
| Astin. | Perkins. |
| Carter. | Sturgeon. |
| Johnson. | Terrell, McLennan. |
| Kauffman. | Ward. |
| Lattimore. | Watson. |
| Meachum. | Weinert. |
| Murray. | |

Nays—8.

| | |
|-----------|----------------|
| Cofer. | Paulus. |
| Hudspeth. | Terrell, Wise. |
| Mayfield. | Townsend. |
| McNealus. | Vaughan. |

Present—Not Voting.

| | |
|----------|---------|
| Bryan. | Real. |
| Collins. | Warren. |
| Ratliff. | |

Absent.

| | |
|--------|----------|
| Greer. | Willacy. |
| Hume. | |

The motion, as substituted, was adopted.

THIRTEENTH HOUSE MESSAGE.

Hall of the House of Representatives.

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 265. A bill to be entitled "An Act authorizing the formation of corporations for the purpose of generating, manufacturing, transporting and selling gas, electric current and power in this State, and to make reasonable charges therefor; to construct, maintain and operate power plants and sub-stations and such machinery, apparatus, pipes, poles, wires, devices, and arrangements as may be necessary to operate such lines at and between different points in this State, and to own, hold and use lands, right of way, easements, franchises, buildings and structures necessary for the purpose, with the right to enter upon, condemn and appropriate lands, rights of way, easements and property of any person or corporation and erect lines over and across public roads, railroads, interurban and street railroads, canals or streams in this State, and streets and alleys of any incorporated city or town, with the consent and under the direction of the governing board of such city or town, all in the same manner as is provided by law in the case of railroads, pipe lines, telephone and telegraph lines, and providing for the manner of construction; also giving the right to borrow money, issue stock and preferred stock, to mortgage its franchises and property, to secure the payment of debts contracted for the purposes of the corporation; and, further, making it unlawful for such corporation to discriminate against any person, corporation, firm or association or place the charges for such gas, electric current or power or the services rendered under similar and like circumstances, and declaring an emergency."

Senate bill No. 342. A bill to be entitled "An Act to grant permission to Mrs. W. E. Collins, Samuel Collins, Viola Collins, Zeron Collins, Savana Collins, Semon Collins, Hilton Collins, Virgie Collins, Drucilla Collins, heirs of W. E. Collins, deceased, to bring suit against the State of Texas to ascertain, fix and establish their claims

against the State of Texas for the death of the said W. E. Collins, and personal injury to the said Samuel Collins, said death and injuries aforesaid alleged to have occurred in Trinity county, Texas, on or about the 9th day of September, A. D. 1909, by being shot by State Rangers who were then and there under the jurisdiction, control and employment of the State of Texas; fixing and establishing the measure of damages and liability on the part of said State, and declaring an emergency."

Concurs in Senate amendments to House bill No. 598, by the following vote, yeas 85, nays 6.

Adopts the Free Conference Committee report on Senate bill No. 288.

Respectfully,

BOB BARKER.

Chief Clerk, House of Representatives.

HOUSE BILL NO. 54.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading.

House bill No. 54. A bill to be entitled "An Act to amend Section 20, Chapter 124, Acts of the Twenty-ninth Legislature, entitled 'An Act to provide for a more efficient system of public free schools for the State of Texas, etc.' and providing for the issuance of the Board of Examiners of Certificates of Examination on one or more subjects to applicants for teachers' certificates, and repealing all laws and parts of laws in conflict herewith."

Senator Vaughan offered the following amendment:

Amend the bill by adding on page 2 after the word "History" in line 31, the words: Civil government including Civic virtue and the general duties of citizens and public officers to society.

Senator Ratliff made the point of order that the amendment was not germane to the bill.

The Chair overruled the point of order.

Senator Ratliff moved to table the amendment, which motion to table prevailed.

Senator Cofer offered the following amendment, which was read and adopted:

Amend the bill by striking out all before the enacting clause and insert in lieu thereof the following:

A bill to be entitled "An Act to

amend Sections 114, 115, 116, 117, 118, 119, 120, and 121 of Chapter 124, of the Acts of the Twenty-ninth Legislature, and Sections 122, 123 and 124 of Chapter 124 of the Acts of the Twenty-ninth Legislature, as amended by Chapter 7 of the Second Called Session of the Thirty-first Legislature, and repealing Sections 105, 106, 107, 108, 109, 110, 125 and 126 of Chapter 124 of the Acts of the Twenty-ninth Legislature, and Chapters 68 and 149 of the Acts of the Thirtieth Legislature, relating to teachers' certificates, and declaring and emergency."

And amend futher by striking out all after the enacting clause and insert in lieu thereof the following:

Section 1. That Sections 114, 115, 116, 117, 118, 119, 120 and 121 of Chapter 124 of the Acts of the Twenty-ninth Legislature, and Sections 122, 123 and 124 of Chapter 124 of the Acts of the Twenty-ninth Legislature, as amended by Chapter 7 of the Second Called Session of the Thirty-first Legislature be amended so as hereafter to read as follows:

Section 105. Any person desiring to be examined for a teacher's certificate authorizing him or her to contract to teach in the public free schools of Texas, shall make application to the county superintendent, stating the class of certificate desired and shall present to the county superintendent a statement of three good and well known citizens, or such proof as he may require of his qualifications, except the examination grades required for the class of certificate desired. After investigation, the county superintendent shall give the applicant a written recommendation to the county board of examiners requiring them to examine the applicant for a certificate of the class mentioned, but no person shall receive such recommendation without first depositing with the county superintendent the sum of two (\$2) dollars as an examination fee, and the recommendation given by the county superintendent shall show the receipt of said fee. The county board of examiners shall not permit any person to enter the examination who does not first present the written recommendation of the county superintendent.

Sec. 106. No person shall receive a certificate authorizing his employment in the public free schools of Texas without showing to the satis-

faction of the county superintendent that he is a person of good moral character, and has ability to speak and understands the English language sufficiently to use it easily and readily in conversation and in giving instruction in all subjects prescribed for the class of certificate for which he applies. The county superintendent, unless he knows the fact personally, shall require satisfactory proof of the applicant as herein required before issuing his recommendation to the county board of examiners.

Sec. 107. Teacher's certificate authorizing the holders thereof to contract to teach in the public free schools of this State shall be of two kinds, as follows: (1) temporary certificate; (2) permanent certificate.

Temporary certificate shall be of the following classes: (1) a second-grade certificate; and (2) a first-grade certificate.

Permanent certificates shall be of the following classes: (1) a State permanent certificate; and (2) a State permanent primary certificate.

Sec. 108. An applicant for a second-grade certificate shall be examined in spelling, reading, writing, arithmetic, English, grammar, geography, Texas history, elementary physiology and hygiene with special reference to narcotics, school management and methods of teaching, United States history and elementary agriculture. An applicant for a first-grade certificate shall be examined in the subjects prescribed for a second-grade certificate, and in addition thereto, in English composition, civil government, algebra, physical geography, elements of geometry and general history.

Second and first-grade certificates shall be valid, unless canceled by lawful authority, until the fourth anniversary of the thirty-first day of August of the calendar year in which the examination was held, and to receive such certificates applicants shall make on examination on the prescribed subjects an average grade of not less than seventy-five per cent, and on each subject a grade of not less than fifty per cent; provided, that if the applicant makes a general average on the prescribed subjects of not less than eighty-five per cent and on each subject a grade of not less than fifty per cent, such certificates shall be valid, unless can-

celebrated by lawful authority, until the sixth anniversary of the thirty-first day of August of the calendar year in which the examination was held.

Sec. 109. An applicant for a State permanent primary certificate shall be examined in the subjects prescribed for a second-grade certificate and in addition thereto the subjects of civil government, English composition, physical geography, the history of education, elementary psychology applied to teaching, and English and American literature.

The holder of a State permanent primary certificate may build to a State permanent certificate during the first six years of the validity of said certificate by taking the examination in the following additional subjects: Algebra, physics, elementary geometry, general history, chemistry, solid geometry, plane trigonometry, elementary double-entry bookkeeping; provided, that a person holding a State permanent primary certificate secured by building on a State first-grade certificate shall not be required to be re-examined in the subjects of algebra, physics, elementary geometry and general history in building to a State permanent certificate.

The holder of a State first-grade certificate may build to a State permanent primary certificate by taking the examination in the following additional subjects: History of education, elementary psychology applied to teaching, English and American literature. The applicant in building from a State first-grade certificate to a State permanent primary certificate shall take the examination in two or more of the additional subjects at the same examination. The applicant, in order to be entitled to receive such certificate, shall make a general average of eighty-five per cent on the prescribed subjects and a grade of not less than fifty per cent on each subject. An applicant for a State permanent certificate shall be examined on the subjects prescribed for second and first-grade certificates, and in addition thereto in the history of education, psychology, English and American literature, chemistry, solid geometry, physics, plane trigonometry and elementary double-entry bookkeeping. The applicant, in order to be entitled to receive such certificate shall make on the prescribed subjects an average grade of not less than eighty-five per cent and a

grade of not less than fifty per cent on each subject.

Sec. 110. A person holding a second-grade certificate may build to a first-grade certificate or to a permanent primary certificate during the validity of the said second-grade certificate by taking the examination in the prescribed additional subjects and making the required grades, said person having the privilege of being examined in two or more subjects at any one examination in building on his second-grade certificate. A permanent record of his examination shall be made in the State Department of Education, and upon the surrender of the lower class certificate the higher class certificate shall be issued.

The holder of a first-grade certificate may build to a State permanent primary certificate or to a State permanent certificate during the validity of the said first-grade certificate by taking the examinations in the prescribed additional subjects, said person having the privilege of being examined in two or more subjects at any one examination in building on his first-grade certificate. A permanent record of his examination shall be made in the State Department of Education, and upon the surrender of the first-grade certificate the State permanent primary certificate or the State permanent certificate, as the case may be, shall be issued.

The holder of a State permanent primary certificate may build to a State permanent certificate during the first six years of the validity of said State permanent primary certificate by taking the examination in the prescribed additional subjects, and making the required grades, said person having the privilege of being examined in two or more subjects at any one examination in building on his State permanent primary certificate. A permanent record of his examinations shall be made in the State Department of Education, and upon the surrender of the lower class certificate the higher class certificate shall be issued.

Sec. 110a. The holder of a second-grade certificate or of a permanent primary certificate shall be eligible to contract to teach in only the elementary grades of the public schools of Texas; that is, the grades below the high school. The holder of a

State first-grade certificate, or a State permanent certificate shall be eligible to contract to teach in any public free school of Texas.

Sec. 110b. A State permanent primary certificate or a State permanent certificate shall be valid during the life of the holder, unless canceled by lawful authority.

Sec. 114. A teacher holding a diploma from a Texas State Normal College may teach in the public schools in this State during good behavior and such diploma shall rank as a State permanent certificate. A teacher holding a first-grade certificate from a Texas State Normal College may teach in the public schools of this State until the sixth anniversary of the thirty-first day of August of the calendar year in which the certificate was issued, and a teacher holding a second-grade certificate from a Texas State Normal College may teach in the public schools of this State until the fourth anniversary of the thirty-first day of August of the calendar year in which the certificate was issued. A teacher holding a diploma from the Peabody Normal College, at Nashville, Tennessee, shall be entitled, upon recording the diploma in the State Department of Education, to receive therefrom a State permanent certificate valid during the life of the holder, unless canceled by lawful authority.

Sec. 115. The State Superintendent of Public Instruction is authorized to provide for the organization and work of Summer Normal institutes in Texas, in which examinations may be held for the certification of teachers, and the certificates obtained through these examinations shall be of the same class and governed by the same laws as to the length of time of their validity as are other State certificates obtained through the regular examinations prescribed by the State Department of Education.

Sec. 116. A teachers' diploma conferred by the University of Texas, upon a student who has satisfactorily completed at least four full courses in the department of education and who has satisfied the requirements for the degree of bachelor of arts, when presented to the State Department of Education with satisfactory evidence of having done the required work in education, shall entitle the

holder to receive a State permanent certificate valid for life, unless canceled by lawful authority.

A person who has satisfactorily completed four full courses in the college of arts and one full course in the department of education of the University of Texas, or in any college or university ranked as first-class by the State Superintendent of Public Instruction upon the recommendation of the State Board of Examiners, shall upon presentation of satisfactory evidence of having done the required work, be entitled to receive from the State Department of Education a State first-grade certificate valid until the fourth anniversary of the thirty-first day of August of the calendar year in which the certificate was issued, unless canceled by lawful authority.

Sec. 117. Any person who holds a diploma conferring on him the degree of bachelor of arts, or any equivalent bachelor's degree, or any higher academic degree, from any college or university of the first class, and who has completed four full courses in education and pedagogy, may receive from the State Superintendent of Public Instruction a permanent State certificate, which shall be valid anywhere in this State during good behavior; provided, that any person who holds a diploma conferring on him the degree of bachelor of arts, or any equivalent bachelor's degree, or any higher academic degree, from any college or university of the first class, who has not had four full courses in education, but who has taught three years in the State, may receive from the State Superintendent of Public Instruction a permanent State certificate, which shall be valid anywhere in this State during good behavior. The institutions to be recognized as colleges or universities of the first class shall be determined by the State Superintendent of Public Instruction upon the recommendation of the State Board of Examiners.

Sec. 118. A city or town which has a scholastic population of five hundred or more, and has become an independent school district, and which levies a local tax for educational purposes, or maintains a system of free schools for nine months in each year, and which has employed a superintendent of city

schools, may have a city board of examiners. Said board of examiners shall in all cases consist of a city superintendent of the city schools, together with two other persons who shall be appointed by him, and who shall be teachers, and the superintendent shall not be subject to examination. The city board of examiners are hereby authorized to issue certificates valid only in the city in which they are issued. Such certificates shall be of two kinds, as follows: temporary certificates, permanent certificates.

Temporary and permanent certificates shall be of three classes for each kind, as follows: Temporary certificates shall be second grade, first grade and high school. Permanent certificates shall be primary, first grade and high school. A temporary city certificate shall be good for any period not exceeding four years, to be determined by the board of trustees of such city or town. A permanent city certificate shall be good during good behavior, and shall not be issued to any person who has not been engaged successfully in teaching in the schools of Texas for a period of at least three years. The further regulation of the issuance of such certificate shall be provided for by the board of trustees of such cities or towns; provided, that no city or town shall make the requirements for its temporary certificates inferior to the requirements prescribed by law for county or State certificates of the corresponding grades or the requirements for its permanent certificates less than those prescribed by law for permanent county or State certificates of corresponding grade. Nothing in this chapter shall interfere with the validity of outstanding certificates in such cities or towns, or prevent the extension of such certificates upon such conditions as may be prescribed by the board of trustees regarding professional reading, attendance upon city institutes, and other means of professional growth. Cities and towns authorized by the provisions of this chapter to have a city board of examiners may, at the discretion of the superintendent of the city schools, employ a teacher of any special branch not included in the requirements for a State certificate without requiring an examination or a teachers' certificate; and

nothing in this chapter shall prevent the board of trustees of any city or town from recognizing the certificates issued in any other such city or town in this State, and validating the same in the city or town so recognizing them; provided, nothing in this Act shall be held to repeal or interfere with any law now in force in this State regulating the granting and extension of teachers' certificates issued or to be issued by county boards of examiners or the State Board of Education on certifications and examination papers sent up to said State Board of Education by such county board of examiners.

Sec. 119. Any person who has completed a regular course leading to graduation in the College of Industrial Arts, at Denton, and who has completed two full courses in education, may on furnishing satisfactory evidence of having done the required work, receive from the State Department of Education a State first-grade certificate, valid until the sixth anniversary of the thirty-first day of August of the calendar year in which the certificate was issued, unless canceled by lawful authority; provided, that when the holder of said first-grade certificate has taught successfully in the public schools of Texas for a period of three years, and has furnished satisfactory evidence thereof to the State Department of Education, she may receive, upon the surrender of the said first-grade certificate, a State permanent certificate valid for life, unless canceled by lawful authority.

Sec. 120. The holder of a diploma from a State Normal College, of a life certificate in another State, upon becoming a citizen of Texas, may receive from the State Department of Education a State permanent certificate; provided, the State Board of Examiners recommends to the State Superintendent of Public Instructions that the requirements for the diploma or life certificate are equal in all respects to the requirements for a State Normal College diploma or life certificate in Texas.

Sec. 121. A diploma of graduation from a State educational institution in Texas which maintains, or may hereafter establish and maintain, a department for training kindergarten teachers, such diploma certifying that the holder thereof has,

in addition to the regular course, completed the kindergarten course, consisting of not less than two years' training with daily practice in the kindergarten shall, upon being presented with satisfactory evidence of having done the required work to the State Department of Education, entitle the holder to receive a State kindergarten certificate authorizing its holder to contract to teach in any public kindergarten school of Texas, valid until the fourth anniversary of the thirty-first day of August of the calendar year in which the certificate was issued, unless canceled by lawful authority. The State Superintendent of Public Instruction is hereby authorized to issue to graduates of approved kindergarten training schools and departments State kindergarten certificates valid for the time mentioned in this section; provided, that no kindergarten training school or department be approved by the State Superintendent of Public Instruction unless the standard indicated above has been fully met, and it shall be the duty of the authorities of such schools and departments to furnish satisfactory evidence with respect to this matter to the State Department of Education. The holder of a State kindergarten certificate, after having successfully taught in the kindergarten schools of this State for a term of three years, may upon presentation of satisfactory evidence thereof to the State Department of Education, receive a State permanent kindergarten certificate valid for life, unless canceled by lawful authority.

Sec. 122. There shall be in each organized county in this State a county board of examiners composed of two persons to be appointed by the county superintendent or the ex officio county superintendent. A person to be eligible to appointment on the county board of examiners must to be holders of a teachers' first-grade certificate, or a certificate of higher grade. The members of the county board of examiners shall serve during the pleasure of the county superintendent, and shall meet at the call of the county superintendent. The county superintendent shall forward to the State Superintendent, to be submitted to the State Board of Examiners the examination papers of applicants for certificates together

with the reports of the county board of examiners on a prescribed form furnished by the State Department of Education, with a fee of \$1.00 paid to him by each of the applicants.

The State Board of Examiners shall, at their next meeting after the receipt of said papers and reports, together with the fees, examine the papers, and shall make a report to the State Superintendent recommending that certificates be issued or be not issued, according to the grades made.

The county board of examiners of each county shall, if necessary, hold an examination on the first Friday and Saturday following the months of May, July, August, September and December of each year, and in case of emergency, the State Superintendent of Public Instruction may authorize a special examination, at which applicants for certificates may be examined. Said board of examiners shall use the questions prescribed by the State Department of Education and shall conduct the examinations in accordance with the rules and regulations prescribed by the State Department of Education and the county superintendent of public instruction.

To each applicant who has made the required grades, the State Superintendent shall forward the report, together with the certificate recommended by the State Board of Examiners; and to each applicant who has failed to make the required grades, the State Superintendent shall forward the report of the State Board of Examiners without a certificate.

Sec. 123. The county superintendent shall keep a record of all certificates held by persons teaching in the public free schools of the common school districts and of the independent school districts of his county. Any person who desires to teach in a public free school of a common school district shall present his certificate for record before the approval of his contract. Any person who desires to teach in the public schools of an independent school district shall present his certificate to the county superintendent for record before his contract with the board of trustees of the independent school district shall become valid.

Sec. 124. No certificate shall be granted to a person under sixteen years of age.

Sec. 125. Nothing in this Act shall be construed to impair the validity of outstanding city, county or State cer-

tificates. Cities and towns may, at the discretion of the superintendent, employ a teacher of any special branch not included in the requirements for a State certificate, without requiring a teachers' certificate.

Sec. 2. That Sections 105, 106, 107, 108, 109, 110, 125 and 126 of Chapter 124 of the Acts of the Twenty-ninth Legislature, and Chapters 68 and 149 of the Acts of the Thirtieth Legislature, and all other laws or parts of laws in conflict with this Act, be and the same are hereby repealed.

Sec. 3. The fact that the present law with respect to the certification of teachers is complex and authorizes a multiplicity of standards, and that there is great need of the simplification of the certification of teachers in this State, creates an emergency and an imperative public necessity, requiring that the constitutional rule which requires that all bills be read on three several days be suspended, and it is hereby suspended, and that this law be in full force and effect from and after its passage, and it is so enacted.

Pending the reading of the above amendment, the same was dispensed with.

Bill read second time, and passed to a third reading.

Senator Cofer moved that the constitutional rule requiring bills to be read on three several days be suspended, and the bill put on its third reading and final passage.

The motion was lost by the following vote, a four-fifths vote being necessary:

Yeas—13.

| | |
|------------|--------------------|
| Bryan. | Peeler. |
| Carter. | Terrell, McLennan. |
| Cofer. | Terrell, Wise. |
| Collins. | Townsend. |
| Kauffman. | Vaughan. |
| Lattimore. | Warren. |
| Mayfield. | |

Nays—3.

| | |
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| Astin. | Willacy. |
| Ward. | |

Present—Not Voting.

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| Adams. | Ratliff. |
| Hudspeth. | Real. |
| Johnson. | Sturgeon. |
| McNealus. | Weinert. |
| Murray. | |

Absent.

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| Greer. | Paulus. |
| Hume. | Perkins. |
| Meachum. | Watson. |

FOURTEENTH HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 99, A bill to be entitled "An Act to prohibit and prevent adulteration, fraud and deception and misbranding in the manufacture and sale of articles of foods and drugs, and to regulate the sale of concentrated commercial feeding stuffs and the materials from which they are manufactured; defining concentrated feeding stuffs, prohibiting their adulteration, providing for their correct weighing and marking, for the collection of samples, and providing that the inspection tax and penalties collected under this Act shall be used by the Dairy and Food Commissioner in the enforcement of this Act; prescribing penalties for the violation of this Act; providing for the appointment of the Dairy and Food Commissioner, and defining his powers and duties; also to provide for the appointment of inspectors, chemists and other assistants, and fixing the compensation of the Dairy and Food Commissioner and the inspectors, chemists and other assistants provided for by this Act, and to repeal all laws in conflict with the provisions of this Act, and declaring an emergency."

Respectfully,

BOB BARKER.

Chief Clerk, House of Representatives.

FIFTEENTH HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 247, A bill to be entitled "An Act to validate the sale of the public free school and asylum lands made by the Commissioner of the General Land Office, where such

sales may be defective from any cause, and to quiet the titles thereto, and provide for the issuance of patents thereto," with amendments.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SENATE BILL NO. 232.

Senator Real moved that the regular order of business (Senate bill No. 48) be suspended, and the Senate take up, out of its order, Senate bill No. 232.

The motion was adopted by the following vote:

Yeas—17.

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| Adams. | Real. |
| Astin. | Sturgeon. |
| Hudspeth. | Terrell. McLennan. |
| Johnson. | Townsend. |
| Kauffman. | Vaughan. |
| Mayfield. | Ward. |
| McNealus. | Warren. |
| Murray. | Weinert. |
| Peeler. | |

Nays—6.

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| Bryan. | Lattimore. |
| Cofer. | Ratliff. |
| Collins. | Terrell, Wise. |

Absent.

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| Carter. | Paulus. |
| Greer. | Perkins. |
| Hume. | Watson. |
| Meachum. | Willacy. |

The Chair laid before the Senate, on third reading,

Senate bill No. 232, A bill to be entitled "An Act to amend Article 941, as amended by the Act of April 30, 1901, of the Revised Civil Statutes of Texas, defining the original and appellate jurisdiction of the Supreme Court, and to provide for disposition of the causes now pending therein, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—18.

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| Adams. | Real. |
| Astin. | Sturgeon. |
| Hudspeth. | Terrell, McLennan. |
| Johnson. | Townsend. |
| Kauffman. | Vaughan. |
| McNealus. | Ward. |
| Murray. | Warren. |
| Peeler. | Watson. |
| Perkins. | Weinert. |

Nays—6.

| | |
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| Bryan. | Lattimore. |
| Cofer. | Mayfield. |
| Collins. | Terrell, Wise. |

Present—Not Voting

Ratliff.

Absent.

| | |
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| Carter. | Meachum. |
| Greer. | Paulus. |
| Hume. | Willacy. |

SENATE BILL NO. 263 — HOUSE AMENDMENTS CONCURRED IN.

Senator Vaughan called up,

Senate bill No. 263, A bill to be entitled "An Act to authorize cities, acting under special charters, granted by the Legislature of the State of Texas to carry out existing contracts or make contracts with railway companies, to erect and complete viaducts, to abolish and close portions of streets, crossed by railroad tracks, to issue viaduct bonds not to exceed ten thousand dollars (\$10,000.00), to pay for right of way for viaducts and damages, if any, to abutting property owners, and to give to such cities the right of eminent domain and power to condemn all land necessary for right of way for viaducts, and to confer authority upon such cities to compel railway companies to comply with contracts to construct and complete viaducts; and to declare an emergency," with the following House amendments:

Amend Senate bill No. 263, Section 3, page 3, line 1, by striking out all after the word "\$10,000.00" down to the word "for" page 3, line 4, and after the period after the word "owners," page 3, line 12, Section 3, and before the word "it," page 3, Section 3, line 12, insert the following:

"Provided that the question of issuance of said bonds shall be submitted to a vote of the property tax paying voters and shall be carried by a majority vote of said voters, such election being called as is provided for on other questions in the charters of cities desiring an election on said bonds."

Amend by striking out sentence beginning with "it," Section 3, page 3, line 12, and ending with the word "viaducts," line 21.

Senator Vaughan moved that the Senate concur in the above House

amendments, which motion prevailed by the following vote:

Yeas—25.

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| Adams. | Peeler. |
| Astin. | Perkins. |
| Bryan. | Ratliff. |
| Carter. | Real. |
| Cofer. | Sturgeon. |
| Collins. | Terrell, McLennan |
| Hudspeth. | Terrell, Wise. |
| Johnson. | Townsend. |
| Kauffman. | Vaughan. |
| Lattimore. | Warren |
| Mayfield. | Watson. |
| McNealus. | Weinert. |
| Murray. | |

Absent.

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| Greer. | Paulus. |
| Hume. | Ward. |
| Meachum. | Willacy. |

HOUSE JOINT RESOLUTION NO. 22.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

House Joint Resolution No. 22, A joint resolution proposing to amend Article 16 of the State Constitution by adding thereto Section 58, creating the office of Prison Commissioners and making the term of office of the members of the Board of Prison Commissioners six years, and making an appropriation.

The resolution was read second time, committee report adopted, and having received 26 votes, was ordered adopted, passed finally and proposed and transmitted to the House by the following vote:

Yeas—26.

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|------------|--------------------|
| Adams. | Murray. |
| Astin. | Peeler. |
| Bryan. | Perkins. |
| Carter. | Ratliff. |
| Cofer. | Real. |
| Collins. | Sturgeon. |
| Hudspeth. | Terrell, McLennan. |
| Johnson. | Terrell, Wise. |
| Kauffman. | Townsend. |
| Lattimore. | Vaughan. |
| Mayfield. | Warren. |
| McNealus. | Watson. |
| Meachum. | Weinert. |

Absent.

| | |
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| Greer. | Ward. |
| Hume. | Willacy. |
| Paulus. | |

SENATE BILL NO. 247 — HOUSE AMENDMENTS CONCURRED IN.

Senator Watson called up

Senate bill No. 247, A bill to be entitled "An Act to validate all sales made out of leases of unsurveyed school lands that may have been erroneous by reason of a lack of definiteness of lease holds and unmarked survey lines, and all sales made on lines of four-section counties, and eight-section counties, and such sales of land as may have been made in a four-section county, and other sales in an eight-section county, as may have been erroneous on account of a lack of clearness in the statute, regulating the rights of purchasers in four-section counties, and in eight-section counties, are hereby validated and declared to be good sales so far as the probable errors herein mentioned may affect such sales," with the following House amendments:

Substitute bill, A bill to be entitled "An Act to validate all sales made out of leases of unsurveyed school lands that may have been erroneous by reason of a lack of definiteness of lease-holds and unmarked survey lines, and all sales made on lines of four-section counties, and eight-section counties, and such sales of land as may have been made in a four-section county, and other sales in an eight-section county, as may have been erroneous on account of a lack of clearness in the statute regulating the rights of purchasers in four-section counties and in eight-section counties, are hereby validated and declared to be good sales so far as the probable errors herein mentioned may affect such sales; sales of school lands to actual settlers in such cases as the applicant did settle on the land within the time required by law, but did not file in the General Land Office the affidavit of settlement within the time required by law, but did settle and in person or by legally substituted assignee continue to reside upon the land in good faith; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. All sales made out of leases of unsurveyed school lands that may have been erroneous by reason of a lack of definiteness of lease holds and unmarked survey lines, and all sales made on lines of four-section counties and eight-section counties, and such sales of land as may have been made in a four-section county, and other sales as may have been made in an eight-section county, as may have been erroneous on account of a lack of clearness in the statute regulating the rights of purchasers in four-section counties and in eight-section counties, are hereby validated and declared to be good sales so far as the probable errors herein mentioned may affect such sales; provided that nothing in this Act shall validate or affect any land sales or titles for which suits may now be pending in any of the courts of this State on behalf of the State. The Commissioner of the General Land Office may issue his official certificate on all proofs of occupancy now on file in the General Land Office previous to the taking effect of this Act, whether such proofs were filed within the two years' period of grace as provided by law or not.

Sec. 2. In all cases where persons have made valid applications to purchase land on the condition of becoming an actual settler thereon within ninety days after date of acceptance and award under the Act of April 15, 1905, and acts amendatory thereto, and the land was subject to sale and the application was accepted and award was issued as required by law, and the applicant did become in person an actual bona fide settler on the land within the time required by law, but did not file in the General Land Office the required affidavit of settlement within the time required by law, but did file the affidavit, and such purchaser, or his legal assignee, has continued to reside thereon, then, and in that event such settlement and attempted purchases are hereby declared to be valid. Provided that this Act shall not validate any land acquired by fraud.

Sec. 3. The fact that sales have been erroneously made out of valid leases, land sold in excess of complements through an erroneous construction of the law, and sales erroneously made from other causes, and that the purchasers have in good faith occupied and improved the lands for

homes, and the further fact that there are some applications and awards of school lands recently lawfully canceled by the Land Commissioner in accordance with law, for the failure of the applicant to file the necessary affidavit in the Land Office within the time required by law, and such persons are in good faith actually in person residing on the land and have all their possessions invested therein, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and this Act take effect and be in force from and after its passage; and it is so enacted.

Senator Watson moved that the Senate concur in the above House amendments.

The motion prevailed.

HOUSE JOINT RESOLUTION NO. 10.

Senator Vaughan called up by unanimous consent,

House Joint Resolution No. 10, A Joint Resolution proposing an amendment to Section 5, of Article 11, of the Constitution of the State of Texas, providing for cities of more than five thousand inhabitants to adopt their charters by a vote of the people."

The resolution was read. Committee report adopted, and the resolution having received a two-thirds vote was adopted, passed finally, proposed, and ordered transmitted to the House.

Following is the vote:

Yeas—23.

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| Adams. | Perkins. |
| Astin. | Real. |
| Bryan. | Sturgeon. |
| Carter. | Terrell, McLennan. |
| Collins. | Terrell, Wise. |
| Hudspeth. | Townsend. |
| Kauffman. | Vaughan. |
| Mayfield. | Ward. |
| McNealus. | Warren. |
| Meachum. | Watson. |
| Murray. | Weinert. |
| Peeler. | |

Nays—3.

| | |
|------------|----------|
| Cofer. | Ratliff. |
| Lattimore. | |

Absent.

Greer. Paulus.
Hume. Willacy.
Johnson.

HOUSE BILL NO. 8.

(By Unanimous Consent.)

The Chair laid before the Senate on third reading,

House bill No. 8, A bill to be entitled "An Act to amend Article 2957, Chapter 1, Title 55, of the Revised Statutes of the State of Texas, relating to the issuance of a marriage license, the amendment providing that in case of a female under 18 years of age and a male under 21 years of age, the consent of the parent or guardian shall be given in person or in writing, signed and acknowledged by said parent or guardian before some officer authorized to take acknowledgements."

The bill was read third time and passed.

HOUSE CONCURRENT RESOLUTION NO. 17.

(By Unanimous Consent.)

The Chair laid before the Senate, House Concurrent Resolution No. 17, relating to the practice of polygamy and polygamous co-habitation, etc.

The resolution was read and adopted.

SENATE BILL NO. 219.

Senator Murray asked to call up House bill No. 394, but there was objection and Senator Murray moved that the regular order of business (Senate bill No. 48) be suspended, and the Senate take up, out of its order, House bill No. 394.

Senator Terrell of McLennan, made the point of order that the bill was ordered printed in the Journal and that the Journal had not been delivered to the Senate and could not be considered. The Chair sustained the point of order.

Senator Murray then moved to suspend the pending business and take up out of its order Senate bill No. 219.

The motion was adopted by the following vote:

Yeas—19.

Adams. Murray.
Bryan. Sturgeon.
Carter. Terrell, McLennan.
Collins. Terrell, Wise.
Hudspeth. Townsend.
Johnson. Vaughan.
Kauffman. Ward.
Lattimore. Warren.
Mayfield. Weinert.
McNealus.

Nays—4.

Astin. Peeler.
Meachum. Watson.

Present—Not Voting.

Real.

Absent.

Cofer. Perkins.
Greer. Ratliff.
Hume. Willacy.
Paulus.

The Chair laid before the Senate on second reading,

Senate bill No. 219. A bill to be entitled "An Act requiring individuals, copartnerships, partnerships, associations and corporations heretofore or hereafter convicted of a violation of the anti-trust law of this State, or of the Federal law, or their successors doing business in this State, to file annual reports with the Secretary of State; defining the term 'successors'; providing a penalty for any failure to make the report required by said Act; providing penalties for acting as agent after failure to make such report; authorizing the Secretary of State to call the attention of the county and district attorney to any violation of this Act and making it their duty to immediately investigate and take steps to enforce the law."

Senator Mayfield offered the following amendment, which was read and adopted:

Amend the bill, page 1, by adding after the word State in line 25, the following: "Within thirty days after the taking effect of this law."

Bill read second time, and ordered engrossed by the following vote:

Yeas—16.

Astin. Greer.
Bryan. Johnson.
Cofer. Kauffman.

Lattimore.
Mayfield.
McNealus.
Meachum.
Perkins.

Sturgeon.
Terrell, Wise.
Townsend.
Warren.
Weinert.

Nays—6.

Adams.
Murray.
Peeler.

Real.
Terrell, McLennan.
Watson.

Absent.

Carter.
Hudspeth.
Paulus.
Ratliff.

Vaughan.
Ward.
Willacy.

PAIRED.

Senator Collins (present), who would vote "yea," with Senator Hume (absent), who would vote "nay."

Senator Mayfield then moved to reconsider the vote by which the bill was ordered engrossed.

The motion prevailed.

Senator Mayfield moved, under rule 22a, that House bill No. 394, a bill of the same subject matter, be laid before the Senate.

Senator Watson made the point of order that the bill was directed printed in the Journal and that the Journal had not been delivered to the Senate.

Senator Perkins moved that the Senate adjourn until 8:45 o'clock tomorrow morning.

The motion was lost by the following vote:

Yeas—8.

Astin.
Bryan.
Hudspeth.
Meachum.

Murray.
Peeler.
Perkins.
Weinert.

Nays—18.

Adams.
Carter.
Cofer.
Collins.
Johnson.
Kauffman.
Lattimore.
Mayfield.
McNealus.

Real.
Sturgeon.
Terrell, McLennan.
Terrell, Wise.
Townsend.
Vaughan.
Ward.
Warren.
Watson.

Absent.

Greer.
Hume.
Paulus.

Ratliff.
Willacy.

Action recurred on the pending point of order on the question of the taking up House bill No. 394.

The Chair, President Pro Tem. Hudspeth, sustained the point of order, holding that the bill could not be considered in the absence of the Journal.

Senator Mayfield appealed from the ruling of the Chair.

Senator Murray was called to the chair and presided.

Question—Shall the Chair be sustained?

The Senate sustained the Chair by the following vote:

Yeas—12.

Adams.
Astin.
Johnson.
Kauffman.
Meachum.
Murray.

Peeler.
Perkins.
Real.
Terrell, McLennan.
Watson.
Weinert.

Nays—11.

Bryan.
Cofer.
Collins.
Lattimore.
Mayfield.
McNealus.

Sturgeon.
Terrell, Wise.
Townsend.
Vaughan.
Warren.

Present—Not Voting.

Carter.

Hudspeth.

Absent.

Greer.
Hume.
Paulus.

Ratliff.
Ward.
Willacy.

Action recurred on Senate bill No. 219, and Senator Mayfield offered the following amendment, which was read and adopted:

Amend the bill by adding Section 5 as follows, on page 7:

"Section 5. The fact that there is no law requiring persons, firms, partnerships, associations or corporations that have been convicted of violating the anti-trust laws of our State, or their 'successors,' to file

a report with the Secretary of State showing the facts as set forth in the provisions of this Act, creates an emergency and public necessity that the constitutional rule requiring bills to be read on three several days be suspended and this bill be placed upon its third reading and final passage, and that this Act shall take effect and be in force from and after its passage, and it is so enacted."

Senator Mayfield offered the following amendment, which was read and adopted:

Amend the bill by adding after the word "law" in line 16, page 1, "and declaring an emergency."

Senator Meachum offered the following amendment, which was read and adopted:

Amend the bill, page 1, Section 1, line 22, by adding after the word "States" the words: "and all corporations, foreign and domestic, engaged in the business of buying, selling or transporting petroleum or any kind of oil substances within this."

Bill read second time, and ordered engrossed.

On motion of Senator Mayfield the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—19.

| | |
|------------|--------------------|
| Bryan. | Murray. |
| Carter. | Peeler. |
| Cofer. | Sturgeon. |
| Collins. | Terrell, McLennan. |
| Johnson. | Terrell, Wise. |
| Kauffman. | Townsend. |
| Lattimore. | Vaughan. |
| Mayfield. | Warren. |
| McNealus. | Watson. |
| Meachum. | |

Nays—3.

| | |
|--------|----------|
| Adams. | Weinert. |
| Real. | |

Absent.

| | |
|-----------|----------|
| Astin. | Perkins. |
| Greer. | Ratliff. |
| Hudspeth. | Ward. |
| Hume. | Willacy. |
| Paulus. | |

Senator Meachum offered the following amendment:

Amend the caption, line 9, after the word "State" by inserting the following: "And all corporations, foreign and domestic, engaged in the business of buying, selling or transporting petroleum or any kind of oil substances within this State."

The amendment was adopted by the following vote:

Yeas—21.

| | |
|------------|--------------------|
| Astin. | Meachum. |
| Bryan. | Murray. |
| Carter. | Peeler. |
| Cofer. | Perkins. |
| Collins. | Real. |
| Hudspeth. | Terrell, McLennan. |
| Johnson. | Terrell, Wise. |
| Kauffman. | Townsend. |
| Lattimore. | Vaughan. |
| Mayfield. | Warren. |
| McNealus. | |

Nays—1.

Adams.

Absent.

| | |
|-----------|----------|
| Greer. | Ward. |
| Hume. | Watson. |
| Paulus. | Weinert. |
| Ratliff. | Willacy. |
| Sturgeon. | |

The bill was read third time and passed.

SIXTEENTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 10, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 237, A bill to be entitled "An Act to amend Section 6 of Chapter 164, General Laws of the State of Texas, passed at the Regular Session of the Twenty-ninth Legislature and approved May 1, 1905, as amended by Senate bill No. 61, passed by the Regular Session of the Thirty-second Legislature of the State of Texas and approved February 2, 1911, relating to a system of State, county and city depositories for State, county and city funds; and defining the duties of the State Treasurer as to the acceptance of county, municipal and independent school district bonds as collateral se-

curity for deposits made with such depositories; repealing all laws in conflict therewith, and declaring an emergency," with amendments.

Senate bill No. 124, A bill to be entitled "An Act creating the office of State Inspector of Masonry, Public Buildings and Works, fixing the term of said office, prescribing the qualifications and compensation of the incumbent thereof and fixing and defining his duties, etc., and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SENATE BILL NO. 237—HOUSE AMENDMENTS CONCURRED IN.

Senator Vaughan called up,

Senate bill No. 237, A bill to be entitled "An Act to amend Section 6 of Chapter 164, General Laws of the State of Texas, passed at the Regular Session of the Twenty-ninth Legislature, and approved May 1, 1905, as amended by Senate bill No. 61, passed by the Regular Session of the Thirty-second Legislature of the State of Texas, and approved February 2, 1911, relating to a system of State, county and city depositories for State, county and city funds, and defining the duties of the State Treasurer as to the acceptance of county, municipal and independent school district bonds as collateral security for deposits made with such depositories, repealing all laws in conflict therewith, and declaring an emergency," with the following House amendments:

Amend Senate bill No. 327 by adding in caption in line 14 of bill, after word "district," the words "common school district and road improvement district," also Section 1, line 26, page 1, after the word "district" and same Section line 4, page 2, after the word "district," the following words "common school district and road improvement district."

Senator Vaughan moved that the Senate concur in the above House amendments, which motion prevailed by the following vote:

Yeas—22.

| | |
|---------|-----------|
| Astin. | Collins. |
| Bryan. | Hudspeth. |
| Carter. | Johnson. |
| Coker. | Kauffman. |

Lattimore.
Mayfield.
McNealus.
Meachum.
Murray.
Peeler.
Sturgeon.

Terrell, McLennan.
Terrell, Wise.
Townsend.
Vaughan.
Ward.
Warren.
Weinert.

Absent.

Adams.
Greer.
Hume.
Paulus.
Perkins.

Ratliff.
Real.
Watson.
Willacy.

SEVENTEENTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 71, A bill to be entitled "An Act regulating the sale of commercial fertilizers, prohibiting their adulteration or misbranding, providing for their correct weighing and marking, forbidding the use of certain materials, and providing for their collection and analysis of samples, statements of sales and shipments, the expenses of the enforcement of the law, fixing penalties for its violation, and repealing Chapter 48, Acts of 1899, and all other laws in conflict with this Act."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

EIGHTEENTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 314, A bill to be entitled "An Act to amend Article 3852, Chapter 2 of Title 86 of the Revised Statutes, so as to provide that all expenditures of the Board of Regents of the University of Texas may be made by order of the said Board of Regents, to be paid on warrants from the Comptroller on vouchers approved by the chairman of said Board or by some other officer or officers of the University of Texas, designated by him in writing to the Comptroller, and to

be countersigned by the Secretary of said Board or some other officer or officers of the University designated by said secretary in writing to the Comptroller, and declaring an emergency."

Respectfully,
BOB BARKER,
Chief Clerk, House of Representatives.

MOTION TO RESCIND VOTE.

(Motion in writing.) I move that the Senate rescind its action in reconsidering and tabling the vote on the final passage of Senate bill No. 281.

ASTIN,
LATTIMORE.

Senator McNealus made the point of order that the vote could not be rescinded in that the bill was beyond the jurisdiction of the Senate, it having passed the Senate and gone to the House.

The Chair (Senator Murray) overruled the point of order.

Senator McNealus appealed from the ruling of the Chair.

Senator Watson was called to the chair and presided.

Question—Shall the Chair be sustained?

The Senate sustained the Chair by the following vote:

Yeas—17.

| | |
|------------|--------------------|
| Adams. | Perkins. |
| Astin. | Real. |
| Carter. | Sturgeon. |
| Hudspeth. | Terrell, McLennan. |
| Johnson. | Terrell, Wise. |
| Kauffman. | Ward. |
| Lattimore. | Watson. |
| Meachum. | Weinert. |
| Peeler. | |

Nays—1.

Townsend.

Present—Not Voting.

| | |
|-----------|----------|
| Bryan. | Murray. |
| Cofer. | Vaughan. |
| McNealus. | Warren. |

Absent.

| | |
|-----------|----------|
| Greer. | Ratliff. |
| Mayfield. | Willacy. |
| Paulus. | |

PAIRED.

Senator Collins (present), who

79—S.

would vote "nay," with Senator Hume (absent), who would vote "yea."

(Senator Murray resumed the chair.)

Senator McNealus made the further point of order that the morning call had already been concluded, and the motion to rescind was out of order.

The Chair overruled the point of order.

Senator McNealus appealed from the ruling of the Chair.

Senator Watson was called to the chair and presided.

The Senate sustained the ruling of the Chair.

Senator Lattimore then withdrew the motion to rescind the vote and offered the following motion in writing:

I move that the House be requested to return Senate bill No. 281 to the Senate.

LATTIMORE,
ASTIN.

The motion was read and adopted by the following vote:

Yeas—11.

| | |
|------------|--------------------|
| Adams. | Peeler. |
| Astin. | Perkins. |
| Carter. | Real. |
| Johnson. | Terrell, McLennan. |
| Kauffman. | Ward. |
| Lattimore. | |

Nays—8.

| | |
|-----------|-----------|
| Bryan. | Meachum. |
| Cofer. | Sturgeon. |
| Hudspeth. | Townsend. |
| McNealus. | Watson. |

Present—Not Voting.

| | |
|----------|----------|
| Murray. | Warren. |
| Vaughan. | Weniert. |

Absent.

| | |
|-----------|----------------|
| Greer. | Ratliff. |
| Mayfield. | Terrell, Wise. |
| Paulus. | Willacy. |

PAIRED.

Senator Collins (present), who would vote "nay," with Senator Hume (absent), who would vote "yea."

(Senator Watson in the chair.)

HOUSE BILL NO. 414.

(By Unanimous Consent.)

The Chair laid before the Senate on third reading,

House bill No. 414, A bill to be entitled "An Act to change and prescribe the time for holding district court in the Thirty-first Judicial District of this State, to conform all writs and process from such courts to such changes, and to repeal all laws in conflict herewith."

The bill was read third time and passed.

HOUSE BILL NO. 74.

Senator Terrell of McLennan moved that the pending order of business (Senate bill No. 48) be suspended, and the Senate take up, out of its order, House bill No. 74.

The motion was adopted by the following vote:

Yeas—20.

| | |
|------------|-------------------|
| Adams. | Ratliff. |
| Astin. | Real. |
| Carter. | Sturgeon. |
| Cofer. | Terrell, McLennan |
| Hudspeth. | Terrell, Wise. * |
| Lattimore. | Townsend. |
| Meachum. | Vaughan. |
| Murray. | Warren. |
| Peeler. | Watson. |
| Perkins. | Weinert. |

Nays—2.

| | |
|--------|----------|
| Bryan. | Collins. |
|--------|----------|

Present—Not Voting.

| | |
|----------|-----------|
| Johnson. | McNealus. |
|----------|-----------|

Absent.

| | |
|-----------|----------|
| Greer. | Paulus. |
| Hume. | Ward. |
| Kauffman. | Willacy. |
| Mayfield. | |

The Chair laid before the Senate on second reading,

House bill No. 74, A bill to be entitled "An Act to provide for the removal of a married woman's disabilities of coverture, and to declare her feme sole for mercantile and trading purposes."

The bill was read and Senator Terrell of McLennan offered the follow-

ing amendment, which was read and adopted:

Amend the bill by adding to the caption the following, "and declaring an emergency."

Senator Terrell of McLennan offered the following amendment, which was read and adopted:

Amend the bill by adding thereto Section 5, which shall read as follows:

"Section 5. The fact that there is now no law on the statutes removing a married woman's disabilities and declaring her feme sole for mercantile and trading purposes creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

(Senator Kauffman in the chair.)

Senator Murray moved the previous question on the engrossment of the bill, which motion being duly seconded, was so ordered.

The bill was read second time, and passed to a third reading by the following vote:

Yeas—12.

| | |
|-----------|-------------------|
| Adams. | Terrell, McLennan |
| Carter. | Terrell, Wise. |
| Hudspeth. | Townsend. |
| Meachum. | Vaughan. |
| Murray. | Warren. |
| Sturgeon. | Watson. |

Nays—10.

| | |
|----------|------------|
| Astin. | Johnson. |
| Bryan. | Kauffman. |
| Cofer. | Lattimore. |
| Collins. | Peeler. |
| Hume. | Real. |

Present—Not Voting.

| |
|-----------|
| McNealus. |
|-----------|

Absent.

| | |
|-----------|----------|
| Greer. | Ratliff. |
| Mayfield. | Ward. |
| Paulus. | Weinert. |
| Perkins. | Willacy. |

Senator Terrell of McLennan moved that the constitutional rule requiring bills to be read on three

several days be suspended, and the bill put on its third reading and final passage.

The motion was lost by the following vote:

Yeas—16.

| | |
|-----------|--------------------|
| Adams. | Real. |
| Astin. | Sturgeon. |
| Carter. | Terrell, McLennan. |
| Hudspeth. | Terrell, Wise. |
| Kauffman. | Townsend. |
| Meachum. | Vaughan. |
| Murray. | Warren. |
| Peeler. | Watson. |

Nays—6.

| | |
|----------|------------|
| Bryan. | Hume. |
| Cofer. | Johnson. |
| Collins. | Lattimore. |

Present—Not Voting.

McNealus.

Absent.

| | |
|-----------|----------|
| Greer. | Ratliff. |
| Mayfield. | Ward. |
| Paulus. | Weinert. |
| Perkins. | Willacy. |

HOUSE BILL NO. 517.

(By Unanimous Consent.)

The Chair laid before the Senate on third reading,

House bill No. 517, A bill to be entitled "An Act to amend the charter of the city of Galveston by amending and adding to Sections 19g, 19i, 19k, 19l and 20a and 54; repealing all laws and parts of laws in conflict herewith."

(President Pro Tem. Hudspeth in the chair.)

The bill was read third time and passed.

REFUSE TO ADJOURN.

Senator Collins, at 4:20 a. m. March 11, moved that the Senate adjourn until 9 o'clock a. m., March 11.

The motion was lost by the following vote:

Yeas—8.

| | |
|-----------|------------|
| Collins. | Hume. |
| Hudspeth. | Lattimore. |

| | |
|----------------|-----------|
| Ratliff. | Townsend. |
| Terrell, Wise. | Weinert. |

Nays—13.

| | |
|-----------|--------------------|
| Adams. | Peeler. |
| Astin. | Sturgeon. |
| Carter. | Terrell, McLennan. |
| Johnson. | Vaughan. |
| Kauffman. | Warren. |
| McNealus. | Watson. |
| Meachum. | |

Absent.

| | |
|-----------|----------|
| Bryan. | Paulus. |
| Cofer. | Perkins. |
| Greer. | Real. |
| Mayfield. | Ward. |
| Murray. | Willacy. |

HOUSE BILL NO. 39.

Senator Sturgeon moved that the pending order of business be suspended, and the Senate take up, out of its order, House bill No. 39.

The roll was directed called, and developed no quorum present, the following being the vote:

Yeas—8.

| | |
|-----------|--------------------|
| Hudspeth. | Terrell, McLennan. |
| McNealus. | Terrell, Wise. |
| Meachum. | Vaughan. |
| Sturgeon. | Warren. |

Nays—11.

| | |
|----------|------------|
| Astin. | Kauffman. |
| Bryan. | Lattimore. |
| Carter. | Peeler. |
| Collins. | Townsend. |
| Hume. | Watson. |
| Johnson. | |

Present—Not Voting.

| | |
|--------|---------|
| Adams. | Absent. |
|--------|---------|

| | |
|-----------|----------|
| Cofer. | Ratliff. |
| Greer. | Real. |
| Mayfield. | Ward. |
| Murray. | Weinert. |
| Paulus. | Willacy. |
| Perkins. | |

Senator Watson moved a call of the Senate for the purpose of securing and maintaining a quorum. The roll was called, a quorum being present, the following answering to their names:

Present—21.

| | |
|------------|--------------------|
| Adams. | Meachum. |
| Astin. | Peeler. |
| Bryan. | Sturgeon. |
| Carter. | Terrell, McLennan. |
| Collins. | Terrell, Wise. |
| Hudspeth. | Townsend. |
| Hume. | Vaughan. |
| Johnson. | Warren. |
| Kauffman. | Watson. |
| Lattimore. | Weinert. |
| McNealus. | |

Absent.

| | |
|-----------|----------|
| Cofer. | Perkins. |
| Greer. | Ratliff. |
| Mayfield. | Real. |
| Murray. | Ward. |
| Paulus. | Willacy. |

NINETEENTH HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 300, A bill to be entitled "An Act to amend Sections 4, 5, 6, 7, 8, 9, 10 and 11 of Chapter 144 of the General Laws of the Thirtieth Legislature, entitled 'An Act to preserve and protect the wild game, wild birds and wild fowl of the State, to provide adequate penalties for the violation of this Act, and the unlawful taking, slaughter, sale, purchase or shipment thereof; and to repeal all laws or parts of laws in conflict herewith,' so as to repeal the provisions in said sections imposing a jail sentence for violations of said Act."

Respectfully,

BOB BARKER,
Chief Clerk, House of Representatives.

HOUSE BILL NO. 135.

District No. 26, and the floor was yielded to Senator Townsend, who moved that the pending order of business be suspended, and the Senate take up, out of its order, House bill No. 135.

The motion was adopted by the following vote:

Yeas—17.

| | |
|--------|--------|
| Adams. | Astin. |
|--------|--------|

| | |
|------------|--------------------|
| Bryan. | Sturgeon. |
| Carter. | Terrell, McLennan. |
| Collins. | Terrell, Wise. |
| Hudspeth. | Townsend. |
| Lattimore. | Vaughan. |
| meachum. | Warren. |
| Peeler. | Watson. |
| Ratliff. | |

Nays—1.

Hume.

Present—Not Voting.

| | |
|-----------|-----------|
| Johnson. | McNealus. |
| Kauffman. | Weinert. |

Absent.

| | |
|-----------|----------|
| Cofer. | Perkins. |
| Greer. | Real. |
| Mayfield. | Ward. |
| Murray. | Willacy. |
| Paulus. | |

The Chair laid before the Senate on second reading,

House bill No. 135, A bill to be entitled "An Act to prohibit the sale, delivery, or other disposition of intoxicating liquors to convicts in this State; defining convict; defining intoxicating liquors, and prescribing penalties."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend printed bill, page 2, at the end of Section 4, by adding another section to be known as Section 5:

"Section 5. The provisions of this Act shall not repeal any existing law but shall be cumulative of all other laws on similar subjects."

BILLS SIGNED.

The Chair (Lieutenant Governor Davidson) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

House bill No. 182, A bill to be entitled "An Act to create the county of Culberson out of a part of the territory included within the limits of the county of El Paso, in the State of Texas, and to provide for the organization of said county of Culberson."

House bill No. 67, A bill to be entitled "An Act to require the inspection of air brakes and attachments and the testing of brakes on all trains operated on all lines of

railroads in this State, by competent inspectors, and providing a penalty for the violation thereof."

House bill No. 434, A bill to be entitled "An Act to amend subdivision 23, Article 5049, Chapter 1, Title 104 of the Revised Civil Statutes of the State of Texas, regulating the general occupation tax, as amended by an Act of the Twenty-fifth Legislature, said amendment being Chapter 18 of the Acts of the Special Session of the Twenty-fifth Legislature, convened at the city of Austin, May 22, 1897, and adjourned June 20, 1897, being shown at page 49 of the General Laws of the said Special Session."

House bill No. 343, A bill to be entitled "An Act to amend Article 1537, Chapter 2, Title 32, of the Revised Civil Statutes of the State of Texas, 1895, defining the term 'resident' in reference to the power and duty of the commissioners court to provide for the support of paupers, and such idiots and lunatics as can not be admitted into the lunatic asylum, residents of their county who are unable to support themselves."

House bill No. 486, A bill to be entitled "An Act to amend an Act of the Special Laws of the Thirty-first Legislature, Section 11, Chapter 79, of Hamilton county road law, and declaring an emergency."

House bill No. 550, Independent School District law for Richards, Grimes county, Texas.

House bill No. 476, A bill to be entitled "An Act to amend Section 1 of an Act creating and incorporating the Martindale Independent School District, enacted by the Thirty-first Legislature (Regular Session, Chapter 28, page 315, Special Laws of Texas), and declaring an emergency."

House bill No. 513, A bill to be entitled "An Act to create a more efficient road system for Tyler county, Texas."

House bill No. 226, A bill to be entitled "An Act appropriating the sum of twenty-five thousand (\$25,000) dollars or so much thereof as may be necessary, for the enforcement of any and all laws and for the purpose of paying any and all necessary expenses in bringing and prosecuting any and all suits; and for the employment of special counsel and paying the expenses in collecting evidence; and providing that

such appropriation shall be expended under the direction of the Attorney General, and declaring an emergency."

House bill No. 126, A bill to be entitled "An Act to amend Article 2939 of the Revised Statutes, and to provide that the twelfth day of October of each year shall be a State holiday, and shall be known as Columbus Day, and repealing Article 2939, as amended by Chapter 11 of the General Laws of the Twenty-ninth Legislature, and declaring an emergency."

House bill No. 329, A bill to be entitled "An Act to amend Article 1097 of the Code of Criminal Procedure of the State of Texas."

House bill No. 401, A bill to be entitled "An Act to create the county court of Galveston county at law, to define the jurisdiction thereof, and to conform to such change the jurisdiction of the county court of Galveston county, and declaring an emergency."

House bill No. 317, A bill to be entitled "An Act to amend the city charter of the city of Greenville, granted by the Thirtieth Legislature, being Chapter 25 of the Local and Special Laws thereof and the Acts of the Thirty-first Legislature amendatory of said charter, by adding Section 9a to Article 2, Section 6 to Article 8, and Section 15a to Article 10 thereof; and by amending the following sections: Section 1 of Article 5, Section 9 of Article 6, Sections 13a and 15 of Article 10 thereof; to repeal all laws in conflict herewith, and declaring an emergency."

House Concurrent Resolution No. 38, rescinding the action of the House on House Concurrent Resolution No. 33.

House bill No. 62, A bill to be entitled "An Act to regulate the practice of veterinary medicine, surgery and dentistry, creating a board for the examination of applicants for the practice of veterinary medicine, surgery and dentistry; prescribing their powers, duties and qualifications; said board to be known as the 'State Board of Veterinary Medical Examiners'; prescribing penalties for a violation of the provisions of this Act, and declaring an emergency," with engrossed rider.

House bill No. 480, A bill to be entitled "An Act to create a more efficient road system for Houston

county, and declaring an emergency."

House bill No. 119, A bill to be entitled "An Act to create and establish a county of Jim Wells; prescribing its area and boundaries; appointing commissioners to organize said county, and prescribing their duties; providing for a division of said county into commissioners and justices precincts; providing for holding county and precinct elections for the election of county and precinct officers, and the location of the county seat of said county; providing for the attachment of said county to judicial, representative, senatorial and congressional districts; providing for the assessment and collection of taxes, and for the defraying of the expenses of organizing said county, and for the new county to pay its pro rata share of the debt of the county from which it is taken; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

House bill No. 263, A bill to be entitled "An Act to amend Section 2, Chapter 49, page 43, of the General Laws passed at the Regular Session of the Thirty-first Legislature, relating to the taking of fish, the purpose of the amendment being to exempt Coryell county from the operation of this Act, and declaring an emergency."

House bill No. 372, A bill to be entitled "An Act to create a more efficient road system for Anderson county, Texas."

House bill No. 221, A bill to be entitled "An Act to authorize and empower the Commissioner of Agriculture of the State of Texas to employ a civil engineer, having a practical knowledge of conservation of moisture and soil fertility, who understands the practical art of terracing farm lands to prevent the washing away and the destruction of the properties of the soil, to instruct the farmers by practical demonstrations in terracing; providing an appropriation therefor, and declaring an emergency."

House bill No. 407, A bill to be entitled "An Act to amend Chapter 81 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-first Legislature of Texas, entitled 'An Act providing for surveys within this State for the construction and maintenance of pools, lakes, reservoirs, dams, canals

and waterways, and for either or any of them, to prevent overflows, to procure drainage, and for the improvement of rivers, creeks and streams by levees, or otherwise, to prevent overflows; to provide for the creation of a State levee and drainage board, and the defining and prescribing the duties and powers of said board, and providing for the payment of their expenses; authorizing and empowering said board to appoint a commissioner to be known as State Levee and Drainage Commissioner, defining his powers, and prescribing his duties, and authorizing said board to prescribe his further duties not in conflict with this Act; and making an appropriation to carry out the provisions of this Act; and declaring an emergency;" stating the primary object of the Act; authorizing and ordering the necessary survey and other work required to design, plan or mark out upon the ground improvements such as levees, drains, etc., necessary to reclaim for agricultural uses the overflowed and swamp lands and other lands within this State; describing such lands as shall not be surveyed or mapped under this Act; providing for base measurements, bench marks and other reference marks; prohibiting the use of any money herein appropriated for the actual construction of the said improvements; creating a State Levee and Drainage Board, and defining its powers; placing all said work under general supervision of said board; empowering said board to determine at what points said survey shall be made; authorizing said board to make proper division and allotment of money herein appropriated; authorizing said board to publish results of said surveys; empowering said board to approve agreements for co-operation with other branches of the Federal and State governments; providing for the selection of a State Levee and Drainage Commissioner, and prescribing his powers and duties; authorizing the said Commissioner to employ necessary assistants and incur and authorize other necessary expenses; to formulate and enforce reasonable rules governing the conduct of his official duties; empowering him to confer with other branches of the Federal and State governments to obtain assistance and solicit co-operation; defining his duties; authorizing the said

Commissioner to give technical advice to communities or districts, and prohibiting his acceptance of extra compensation therefor; instructing him to maintain a suitable office within the State Capitol; providing for the payment of a salary and expense of said Commissioner; making an appropriation to carry out the provisions of this Act; and providing for the reimbursement to the State of the money expended under the provisions of this Act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Senate Joint Resolution No. 9, A joint resolution "To amend Section 51 of Article 3 of the Constitution of the State of Texas, so as to authorize the grant of aid to indigent and disabled Confederate soldiers and sailors and their widows, and to soldiers who served in the militia and in organizations for the protection of the frontier, and their indigent widows, and to grant aid for the establishment and maintenance of a home for the indigent and dependent wives and widows of Confederate soldiers and sailors, and such women as aided the Confederacy, and authorize a special ad valorem pension tax, and making appropriations for same."

House bill No. 514, A bill to be entitled "An Act to create a more efficient road system for Leon county, Texas, and making county commissioners of said county ex officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and defining the powers and duties of such county commissioners; and providing for the appointment of road overseers, and defining their duties; and for the working of county convicts on the public roads of said county; and providing for officers' fees and rewards and penalties for said convicts and rewards for the capture of escaped convicts, and to provide for the manner of training and maintaining hedges along the public roads; and to provide for the summoning of teams for road work and for allowing thereof, and declaring an emergency."

House bill No. 299, A bill to be entitled "An Act to amend Section 23, Chapter 46, of the Acts of 1901, passed by the Twenty-seventh Legislature of the State of Texas, being an act entitled An Act to create a

more efficient road system for Matagorda county, Texas, and making the county commissioners of said county ex officio road commissioners, prescribing their duties as such and providing for their compensation as such road commissioners; and providing for the working of county convicts upon the public roads of said county, and providing a penalty for the escape of county convicts and providing the amount of compensation in road time to be allowed by overseers to road work, and providing for the condemnation of land for public road purposes; providing for the working of delinquent poll tax payers on the public roads; and relieving road hands from the performance of road work by the payment of the sum of three dollars and providing for election for issuance of bonds for bridge purposes, and providing for the making of this law cumulative of the General Laws and in case of conflict this Act to govern as to Matagorda county, Texas, and creating an emergency, such amendment providing for more adequate compensation for road commissioners of Matagorda county, and declaring an emergency."

House bill No. 300, A bill to be entitled "An Act to amend Section 23 of the Acts of 1907, passed by the Legislature of the State of Texas, being entitled 'An Act to amend an act passed by the Twentieth Legislature of the State of Texas, Chapter 74, to create a more efficient road system for Brazoria county, Texas, and making the county commissioners of said county ex officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners; and providing for the working of county convicts upon the public roads of said county and providing a penalty for the escape of county convicts; and providing the amount of compensation in road time to be allowed by overseers to road hands for teams and road work, and providing for the condemnation of land for public road purposes; and providing for the working of delinquent poll tax payers on the public roads; and relieving road hands from the performance of road work by the payment of the sum of three dollars; and providing for election, for issuance of bonds for bridge purposes; and providing for the making of this law cumulative of the General Laws,

and in case of conflict this Act to govern as to Brazoria county, Texas, and creating an emergency," such amendment providing for more adequate compensation for road commissioners, and declaring an emergency."

House bill No. 570, A bill to be entitled "An Act creating the La Grange Independent School District in Fayette county, Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district, divesting the city of La Grange of the control of its public free schools and to the title to all property now held for public school purposes; investing said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only under the General Laws, and declaring an emergency."

Senate bill No. 81, A bill to be entitled "An Act to provide means for securing fair elections and true returns thereof whenever an election is held at which any proposed amendment or amendments to the Constitution of this State shall be voted upon; to provide for the appointment of additional judges, clerks and supervisors for such elections; for the filing of reports of such supervisors; giving such additional judges, clerks and supervisors the power and authority now given by law to the regularly appointed election officers; and providing that the vote of any voting precinct of any county wherein the regularly appointed election officers shall have refused to comply with the provisions of this Act shall not be counted as to or in the determination of the adoption or rejection of such Constitutional amendment; providing for securing the making of true returns by the managers and officers of such election to the proper officers; providing penalties for the violations of this Act by any officer; and requiring the officers upon whom the duty is imposed by law of making returns of such election from any county to the Secretary of State to make true returns thereof, and providing penalties for a failure to do so on the part of any such officer, and providing a means whereby the result of any election upon the adoption or rejection of any such proposed amendment to the Constitution may be contested, giving the district court of Travis county jurisdiction of such contest and full authority to appoint

commissioners to sit at such times and places as they may appoint anywhere in the State to hear testimony, to reduce same to writing and return same to such court and determine all questions necessary to the ascertainment of the true result of any such election in any precinct, and in any county, and in the State, and to compel the making of true returns of such elections by the officers of such elections to the proper authorities of the county and by the proper officers of the various counties to the Secretary of State to canvass and count the returns of such elections after such contest is determined, in accordance with the final determination of the result of such election as ascertained and determined by the court in such contest, providing penalties, and declaring an emergency."

Senate bill No. 254, A bill to be entitled "An Act to grant a charter for the city of Terrell, in Kaufman county, Texas, validating the Acts of the said city as it heretofore existed; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Senate bill No. 361, A bill to be entitled "An Act to authorize the city of Austin to enter into certain contracts and to transfer or lease certain of its property, property rights and franchises, for the purposes of securing for said city the construction of a dam across the Colorado river at or near said city, in order to secure a more economical and satisfactory water, light and power system for the use of the people of said city, repealing all laws in conflict herewith, and declaring an emergency."

Senate bill No. 226, A bill to be entitled "An Act for the relief of the Houston Light Guard, a militia company known as Company A, Third Infantry, Texas National Guard; validating its title to armory property in the city of Houston, Texas, and declaring an emergency."

Senate bill No. 319, A bill to be entitled "An Act creating the Tell Independent School District in Childress and Hall counties, Texas; defining its metes and bounds; providing for a board of trustees therefor; vesting it with the rights and duties of districts incorporated for school purposes only under the General Laws, and declaring an emergency."

Senate bill No. 340, A bill to be entitled "An Act to regulate the time

for holding the district courts in the various counties composing the Fifth Judicial District of Texas, and validating process, so as to give Titus county one more week, and declaring an emergency."

Senate bill No. 305, A bill to be entitled "An Act to amend Section 14, of Chapter 5, of the Special Laws of the State of Texas, passed by the Regular Session of the Twenty-ninth Legislature, to provide that each county commissioner shall be ex officio road commissioner for his district, prescribing his duties and compensation, and declaring an emergency."

Senate bill No. 258, A bill to be entitled "An Act to amend Section 54, Chapter 104, of the Acts of the Regular Session of the Twenty-ninth Legislature of the State of Texas, entitled 'An Act to define and provide for organizing and disciplining the militia; to prescribe the duties of the Governor, the Adjutant General and all officers and enlisted men thereof; to define military offenses; to provide for the trial and punishment thereof; to provide for the pay, transportation and subsistence of the militia when called into actual service; and to repeal all laws in conflict therewith,' so as to provide that the amount of real and personal property that shall be owned, transferred or otherwise handled by military companies shall not exceed in value at the time of its acquisition, two hundred thousand dollars, and to provide that the natural enhancement in value of any property properly acquired by such companies shall not affect the title or handling of such property in or by such companies, and to repeal Article 3426, Revised Civil Statutes of Texas, relating to the amount of property that may be owned by militia companies."

Senate bill No. 268, A bill to be entitled "An Act to create a more efficient road system for Terrell county, Texas, and declaring an emergency."

Senate bill No. 150, A bill to be entitled "An Act to amend Section 1 of an Act passed by the Regular Session of the Thirtieth Legislature, relating to the selection of juries in counties with cities of certain population."

Senate bill No. 231, A bill to be entitled "An Act to create and establish the county of Kennedy, prescribing its area and boundaries, ap-

pointing commissioners to organize said county and prescribing their duties, providing for a division of said county into commissioners' and justices' precincts, providing for holding county and precinct elections for the election of county and precinct officers, and fixing the location of the county seat of said county, providing for the attachment of said county to judicial, representative, senatorial, congressional and supreme judicial districts, providing for the assessment and collection of taxes, and for the defraying the expenses of organizing said county, and surveying and fixing its boundaries, and for the new county to pay its pro rata share of the debt of the counties from which it is taken, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Senate bill No. 313, A bill to be entitled "An Act to amend Section 10 of Chapter 79 of the General Laws, passed by the Twenty-seventh Legislature, which said chapter was also amended by the Acts of the Thirty-first Legislature of the State of Texas, creating a more efficient road system for Brown county, Texas, and making the county commissioners of said county ex officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners."

Senate bill No. 322, A bill to be entitled "An Act to authorize Aransas county, in compliance with the provisions of Chapter 134 of the General Laws of the Thirtieth Legislature, approved April 18, 1907, to build a causeway and to erect a drawbridge across the waters of Aransas Bay, between the southern end of Lamar peninsula, at or near the old town of Lamar, in said county, and the northern end of Live Oak peninsula, also in said county for the purpose of connecting the public road system of said county between Lamar and Live Oak peninsulas, and to authorize the issuance of county bonds, under the provisions of said Chapter 134 of the General Laws of the Thirtieth Legislature, for the construction of said causeway and bridge, and for the construction and maintenance of a public highway along and upon same between such points."

Senate bill No. 342, A bill to be entitled "An Act to grant permission to Mrs. W. E. Collins, Samuel Collins, Viola Collins, Zeron Collins, Sa-

vanna Collins, Semon Collins, Hilton Collins, Vergie Collins, Drucilla Collins, heirs of W. E. Collins, deceased, to bring suit against the State of Texas to ascertain, fix and establish their claims against the State of Texas for the death of said W. E. Collins, and the personal injury of the said Samuel Collins, said death and injury aforesaid alleged to have occurred in Trinity county, Texas, on or about the ninth day of September, A. D. 1909, by being shot by State Rangers, who were then under the jurisdiction, control and employment of the State of Texas; fixing and establishing the measure of damages and liability on the part of said State, and declaring an emergency."

Senate bill Nos 10 and 86, A bill to be entitled "An Act to amend Article 21, Title 4, of the Revised Civil Statutes of Texas, and to amend an Act passed by the Thirtieth Legislature creating the Sixth Supreme Judicial District of Texas, and to create the Seventh and Eighth Supreme Judicial Districts of Texas, and to provide for the organization of a Court of Civil Appeals within the Seventh Supreme Judicial District of Texas, and to provide for the organization of a Court of Civil Appeals within the Eighth Supreme Judicial District of Texas, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency," with amendments.

Senate bill No. 348, A bill to be entitled "An Act to provide for the protection of fish and oysters within tide water limits along the Gulf coast of this State from the most interior point of tide water seaward co-extensive with the jurisdiction of the State and the fish in such fresh water lakes inland as may be owned by the State; and to provide for the sale and protection of all marl and sand of commercial value and all shells, that may be in or upon the bottoms of any lake, bay and shallow water, and in or upon all islands, reefs or bars that may be within the limits herein defined; and the place of said islands, lakes and bays, and the shells, sand and marl that may be in or upon the said bottoms or in or upon the said islands, lakes, bays, reefs and bars under the jurisdiction and control of the Fish and Oyster Commissioner for the purpose of selling and protecting the said shells, marl and sand; and providing that the proceeds arising from the sale of such shells, marl and

sand shall be credited to the fish and oyster fund and be expended in the execution of this Act and in establishing fish hatcheries on the coast or elsewhere and in locating oyster beds, and reserving fresh water lakes from sale; and providing penalties for the violation of this Act, and appropriating to certain funds the proceeds from sale and fines arising under this Act, and declaring an emergency."

Senate bill No. 11, A bill to be entitled "An Act to provide for completing the work of revising, digesting, annotating, indexing, printing and publishing the civil and criminal laws of the State of Texas, making an appropriation, and declaring an emergency."

Senate bill No. 186, A bill to be entitled "An Act to amend Chapter 56 of the Acts of the Regular Session of the Thirty-first Legislature (1909), approved March 17, 1909, relating to the State Institution for the Training of Juveniles, by adding thereto a new article to be known as Article 2947a, providing for religious services at said institution and the employment of a chaplain, and declaring an emergency."

Senate bill No. 221, A bill to be entitled "An Act authorizing and directing the Governor of the State of Texas to convey to the Texas District of the German Evangelical Synod of North America about three acres of land out of original survey 25 in the name of Anselmo Galvan, about five miles south of the city of San Antonio in Bexar county, Texas; also about nine 6.10 acres of land out of survey 36 in the name of William Small, about five miles south of the city of San Antonio in Bexar county, Texas, said conveyance of land to be made upon the condition that the grantee and its assigns shall for all time use the above described property as an asylum, institution or home for the care of widows, orphans and old people, and for the erection of schools, colleges or hospitals, and upon the further condition that this property is never to be given as security for a debt, and shall never be taken for a debt, and that if grantee or its assigns should fail to so use said property, fee simple title thereto shall revert to the State of Texas."

The Chair (President Pro Tem. Hudspeth) gave notice of signing, and did sign, in the presence of the

Senate, after their captions had been read, the following bills:

House bill No. 416, A bill to be entitled "An Act to create a special road law for Morris county, Texas."

House bill No. 439, A bill to be entitled "An Act to confer upon the county court of Wheeler county the civil and criminal jurisdiction belonging to said court under the Constitution and General Statutes of Texas; to define the jurisdiction of said courts; to conform the jurisdiction of the district court of said county to said change; to fix the time of holding court, and to repeal all laws in conflict with this Act, and declaring an emergency."

House bill No. 483, A bill to be entitled "An Act to amend Section 14 of Chapter 8 of the Special Laws of the Twenty-eighth Legislature, being an Act to create a more efficient road system for Eastland county, Texas, so as to provide that county commissioners may receive greater compensation when acting as road commissioners."

House bill No. 321, A bill to be entitled "An Act to confer upon the county court of Oldham county the civil and criminal jurisdiction belonging to said court under the Constitution and general statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court to said change; to fix the time of holding court, and to repeal all laws in conflict with this Act, and declaring an emergency."

House bill No. 202, A bill to be entitled "An Act to amend Article 3232, Title 62, Chapter 12, of the Revised Civil Statutes, and declaring an emergency."

House bill No. 203, A bill to be entitled "An Act to amend Articles 1113 and 1115, Chapter 3, Title 15, of the Code of Criminal Procedure, and declaring an emergency."

House Concurrent Resolution No. 32, "Providing for the investigation and collection of certain claims of the State of Texas against the United States."

House bill No. 539, A bill to be entitled "An Act to amend Section 7 of Chapter — of the Local and Special Laws of the Twenty-ninth Legislature, providing for a special road law for Hunt county, and declaring an emergency."

House bill No. 88, A bill to be entitled "An Act to provide for the loca-

tion, establishment, maintenance of two colonies for the treatment of persons suffering from tuberculosis, and to provide for the care and treatment of indigent consumptives, and making an appropriation therefor, defining a citizen as used in this Act, and declaring an emergency."

Senate bill No. 316, A bill to be entitled "An Act to amend Article 4785a, of Chapter 6, of Title 97, of the Revised Civil Statutes of 1895 of the State of Texas, so as to take the county of Goliad out of the counties which are exempted by this Article from the provisions of said chapter, which chapter provides for the appointment of road superintendents, so as to bring Goliad county under the provisions of said chapter."

Senate bill No. 249, A bill to be entitled "An Act conferring upon the Board of Prison Commissioners authority to issue paroles to meritorious convicts, and to make and establish rules and regulations to carry the same into effect, and declaring an emergency."

Senate bill No. 310, A bill to be entitled "An Act to reorganize the Twenty-eighth Judicial District of the State of Texas, to fix the times for holding the terms of district court therein; to make all process heretofore issued as well as all bonds and recognizances heretofore entered into conform thereto; and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Senate bill No. 295, A bill to be entitled "An Act creating the Pleasant Grove Independent School District in Wood county, Texas, and defining its boundaries, etc., and declaring an emergency."

Senate bill No. 50, A bill to be entitled "An Act to create a more efficient road system for El Paso county, Texas; making the county commissioners of said county ex officio road commissioners and prescribing their duties and compensation; providing for the working of persons subject to road duty upon public roads and city streets, and providing for the amount of time that shall be allowed for teams on road work, and providing for the payment of \$3 in lieu of road work; making delinquent poll tax payers subject to road duty; making it unlawful and providing penalties for injuring any road or anything placed thereon for its benefit, and for injuring trees growing on any public

road, and for throwing nails, tacks, glass and like substances upon any public road, and for hauling over a public road a vehicle with wheels that tear and injure the road, and for erecting fences or other encroachments upon a public road; and providing for the passage of vehicles on the road and fixing a penalty for failure to comply with such provisions; providing for the condemnation of land for road purposes and making it cumulative of the General Laws; and declaring an emergency."

House bill No. 291, A bill to be entitled "An Act to prohibit the taking, catching, killing or destroying any fish in the fresh water streams, lakes, bayous, ponds or pools within this State, by means of dynamite, giant powder or other explosives, or by means of poisoning, liming, ditching, muddying, draining or by the use of traps, nets, seines (except minnow seines for catching bait), or by any other means except the ordinary hook and line and trot line; prescribing penalties for its violation, exempting certain counties from the provisions of Section 3 of this Act, repealing Chapter 75 of the General Laws of the Regular Session of the Thirtieth Legislature and Chapter 49 of the General Laws of the Thirty-first Legislature, and all other laws in conflict with the same, and declaring an emergency."

Senate Concurrent resolution No. 21, "Whereas, The Society of the Colonial Dames of America in the State of Texas, desiring to preserve the names of the officers of the United States Army, who assisted Texas, and who fell in the war with Mexico, has presented to the State of Texas a bronze memorial tablet."

House bill No. 485, A bill to be entitled "An Act to empower cities and towns operating under Title 18 of the Revised Civil Statutes of the State of Texas to encumber lighting systems and water systems, the incomes thereof and everything pertaining thereto, or any part thereof, and by the terms of such encumbrance to grant to the purchaser under any sale or foreclosure under such encumbrance a franchise to operate same for not over twenty years after such purchase; prescribing the purposes for which such powers may be exercised, limiting the manner and effect of their exercise, providing for a board of trustees to carry out any contract of encumbrance made

under this Act, for the selection of a trustee and his successor, to make sale on default in payment; limiting the method of foreclosure, and giving such cities and towns the option to include or exclude any of such properties from such encumbrance."

House bill No. 4, A bill to be entitled "An Act to amend Section 10, Chapter 36, of the Acts of the First Called Session of the Thirty-first Legislature, being an Act defining and regulating fraternal beneficiary associations and repealing Chapter 115 of the General Laws of the Twenty-sixth Legislature of Texas as amended by Chapter 86 of the General Laws of the Twenty-eighth Legislature of Texas, and by Chapter 106 of the General Laws of the Twenty-ninth Legislature, and declaring an emergency."

House bill No. 474, A bill to be entitled "An Act to provide for the maintenance of a co-operative Agricultural Experimental Station for the experimental culture of tobacco and other farm products, to be operated under direction of the United States Department of Agriculture and the State Superintendent of the Experimental Stations; to provide for the employment of an additional expert to be located in the Seventeenth Representative District, and making the necessary appropriations therefor, and declaring an emergency."

House Concurrent Resolution No. 40, granting Hon. S. P. Huff leave of absence from the State.

ADJOURNMENT.

At 4:50 o'clock a. m., March 11, Senator Adams moved that the Senate adjourn until 9 o'clock a. m., March 11.

Senator Carter moved that the Senate adjourn until 5 o'clock a. m., March 11.

Action recurred on the longest time, and the motion to adjourn until 9 o'clock a. m. was lost by the following vote:

Yeas—9.

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| Adams. | Johnson. |
| Bryan. | McNealus. |
| Collins. | Peeler. |
| Hudspeth. | Watson. |

Nays—12.

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| Astin. | Carter. |
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|------------|-------------------|
| Hume. | Sturgeon. |
| Kauffman. | Terrell, McLennan |
| Lattimore. | Terrell, Wise. |
| Meachum. | Townsend. |
| Ratliff. | Vaughan. |

Present—Not Voting.

Weinert.

Absent.

| | |
|-----------|----------|
| Cofer. | Perkins. |
| Greer. | Real. |
| Mayfield. | Ward. |
| Murray. | Warren. |
| Paulus. | Willacy. |

Senator Terrell of McLennan moved that the Senate adjourn until 4:55 o'clock a. m. March 11, which motion prevailed.

APPENDIX.

COMMITTEE REPORTS.

(Floor Report.)

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred,

House bill No. 580, "An Act to render more effective and efficient the present road law of the State of Texas in its application and operation in the county of Nueces, providing that each county commissioner shall be created road commissioner of their respective commissioner's precinct of said county, and declaring an emergency,"

Have had same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

Greer, Chairman; Weinert, Paulus, Ratliff, Perkins, Johnson, Kauffman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Rules, to whom was referred House Concurrent Resolution No. 23,

"Resolved, by the House, the Senate concurring, That the joint rules

of the House and Senate of the Thirty-first Legislature be adopted as the joint rules of the House and Senate of the Thirty-second Legislature with the following amendments,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed, but printed in the Manual.

HUME, Chairman.

(Floor Report.)

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Judiciary No. 2, to whom was referred,

House bill No. 598, a bill to be entitled "An Act to preserve and protect wild squirrels in the county of Liberty, in the State of Texas; to provide adequate penalties for the violation of this Act, and the unlawful shipment thereof,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

WATSON, Chairman.

(Floor Report.)

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Town and City Corporations to whom was referred,

House bill No. 589, A bill to be entitled "An Act to amend Section 2, Article 1, of the Special Laws of Texas, passed at the First Called Session of the Thirty-first Legislature, entitled 'An Act to amend Section 2, Article 1, and Section 2, of Article 12, of the Special Laws of Texas, passed at the Regular Session of the Thirty-first Legislature, entitled 'An Act to grant a new charter to the City of Austin, Travis county, Texas, repealing all laws and parts of laws in conflict herewith, and declaring an emergency, approved February 3, 1909, so as to define the boundaries of the said City of Austin, and providing the method of levying and collecting taxes in said city, and giving the City Council power to compromise and settle the bonded indebtedness of said city, and declaring an

emergency,' approved March 24, 1909, so as to define the boundaries of said City of Austin, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

Meachum, Kauffman, Hudspeth, Terrell of McLennan, Collins, Lattimore, Vaughan, McNealus, Peeler, Perkins.

(Floor Report.)

Austin, Texas, March 10, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred,

House bill No. 14, A bill to be entitled "An Act to amend Section 19, Chapter XI, of the Acts of the First Called Session of the Twenty-ninth Legislature, entitled 'An Act to regulate elections and to provide penalties for its violation, and to repeal the Acts of the Twenty-eighth Legislature of 1903, regulating elections, general, special and primary, and political conventions, approved April 1, 1903,' relating to exemptions from the payment of poll tax, and providing that it shall be necessary for persons over sixty years of age to procure but one certificate of exemption,"

Beg leave to report that we have had the same under consideration, and recommend that it do pass and be not printed.

Warren, Chairman; Townsend, Peeler, Carter, Hume, Real.

(Floor Report.)

Austin, Texas, March 10, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred,

House bill No. 553, a bill to be entitled "An Act to amend Chapter 3 of the Thirty-first Legislature, and to reorganize the Thirty-fifth Judicial District; to name the counties composing the same; to fix the terms of holding courts therein; to provide for the extension and return of process issued out of said courts; and to repeal all laws and parts of laws

in conflict herewith, and declaring an emergency,"

Have had the same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed.

Hudspeth, Chairman; Kauffman, Hume, Paulus, Carter, Watson, McNealus, Meachum, Peeler.

Committee Room,
Austin, Texas, March 10, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred,

House bill No. 25, A bill to be entitled "An Act to create the Seventh Supreme Judicial District of the State of Texas, to provide for the appointment of the judges thereof, for the transfer of certain cases on appeal or writ of error thereto, and to repeal all laws in conflict herewith,"

Beg leave to report that we have had the same under consideration and recommend that it do pass.

HUDSPETH, Chairman.

(Floor Report.)

Austin, Texas, March 10, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred,

House bill No. 587, A bill to be entitled "An Act creating the Garland Independent School District, in Dallas county, Texas, so as to include the territory situated within the bounds of the town of Garland, in the county of Dallas, and State of Texas, and other lands and territory adjacent thereto; providing for the election of a board of trustees to manage and control the public free schools within said district, and for the continuance in office of certain trustees until said election; investing the said district with all the powers, rights and duties of independent school districts conferred by General Laws upon corporations incorporated for free school purposes only; empowering the said district to take over all school money belonging to and all free school properties situated within said district; imposing upon it the discharge

of the obligations of said territory for school purposes; prescribing limitations, and declaring an emergency,"

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

Perkins, Chairman; Warren, Sturgeon, Hume, Weinart, Collins, Real, Ward, Astin, Watson, Paulus, Ratliff.

Committee Room,
Austin, Texas, March 10, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

Senate bill No. 232, A bill to be entitled "An Act to amend Articles 940, 941 and 943, as amended by the Act of April 30, 1901, and Article 946 of the Revised Statutes, defining the original and appellate jurisdiction of the Supreme Court, and regulating practice therein, and also Articles 996, 1040 and 1041 of the Revised Sivil Statutes, defining the jurisdiction of the Courts of Civil Appeals, and regulating the practice therein, and repealing Articles 1029c and 1029d, added to the Revised Statutes, by Act May 9, 1899, and Article 1043 of the Revised Statutes, so as to define anew the jurisdiction of said courts in the relation to each other, and to conform to the changes so made, the named provisions of the Revised Statutes relating to the same subject, and declaring an emergency,"

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,
Austin, Texas, March 10, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

Senate bill No. 281, A bill to be entitled "An Act to prevent the pollution of the water courses of the State of Texas, providing a penalty therefor, and providing means for the abatement thereof,"

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,
Austin, Texas, March 10, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

Senate bill No. 189, A bill to be entitled "An Act to amend Section 62, of Article 642, of the Revised Civil Statutes of the State of Texas, as passed at the Regular Session of the Twenty-ninth Legislature,"

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,
Austin, Texas, March 10, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

Senate bill No. 352, A bill to be entitled "An Act making appropriations for deficiencies in appropriations heretofore made for the support of the State government for the fiscal years ending August 31, 1908; August 31, 1909; August 31, 1910, and August 31, 1911, being for claims registered in the Comptroller's office, in accordance with law, and for outstanding claims not registered, and declaring an emergency,"

And find the same correctly engrossed.

.COFER, Chairman.

Committee Room,
Austin, Texas, March 10, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed bills have carefully examined and compared,

Senate bill No. 212, A bill to be entitled "An Act to amend Chapter 42 of an Act of the Twenty-ninth Legislature entitled 'An Act to prohibit the granting or use for railway or other purposes of any part of the tract of land in the city and county of Galveston, Texas, acquired by that county or the commissioners court thereof for seawall purposes,' by adding thereto Section 1a; authorizing Galveston county or the commissioners court of said county to convey or lease to the Board of Regents of the University of Texas on behalf of the State of Texas, for hospital purposes in connection with the

John Sealy Hospital, all or any part of the tract of land acquired under said Act, which lies to the north or northwestward of Avenue B in said city, and declaring an emergency," And find the same correctly engrossed.

COFER, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

Senate Bill No. 261, A bill to be entitled "An Act to grant permission to Philip H. Fall, Charles Magill and the heirs of E. B. Nichols, deceased, to bring suit in the district court of Travis county, Texas, to ascertain, adjudicate, fix and establish their claims against the State of Texas, as owners and holders of certain claims and bonds therein mentioned, and declaring an emergency,"

And find the same correctly engrossed.

COFER, Chairman.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 316, "An Act to amend Article 75a of Chapter 6 of Title 97 of the Revised Civil Statutes of the State of Texas,"

And find it correctly enrolled, and have this day, at 4:20 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bills Nos. 10 and 86, "An Act to amend Article 21, Title 4, of the Revised Civil Statutes of Texas, and to reorganize the several Civil Supreme Judicial Districts of Texas, and create the Seventh and Eighth

Courts of Civil Appeals of Texas,"

And find it correctly enrolled, and have this day, at 4:20 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 249, "An Act conferring upon the Board of Prison Commissioners authority to issue paroles to meritorious convicts, and to make and establish rules and regulations to carry the same into effect, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 4:20 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 50, "An Act to create a road system for El Paso county, Texas,"

And find it correctly enrolled, and have this day, at 4:20 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 295, "An Act to create the Pleasant Grove Independent School District in Wood county, Texas,"

And find it correctly enrolled, and have this day, at 4:20 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled

Bills have carefully examined and compared,

Senate bill No. 254, "An Act granting a charter to the city of Terrell, Texas,"

And find it correctly enrolled, and have this day, at 6 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 81, "An Act to provide for securing fair elections on constitutional amendments, etc.,"

And find it correctly enrolled, and have this day, at 6 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have this day carefully examined and compared,

Senate bill No. 361, "An Act to authorize the city of Austin to enter into certain contracts and to transfer or lease certain of its property, property rights and franchises, for the purpose of securing for said city the construction of a dam across the Colorado River at or near said city, in order to secure a more economical and satisfactory water, light and power system for the use of the people of said city, repealing all laws in conflict herewith, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 10:20 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate Joint Resolution No. 9, A joint resolution "To amend Section 51 of Article 3 of the Constitution of the State of Texas, so as to au-

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thorize the grant of aid to indigent and disabled Confederate soldiers and sailors and their widows, and to soldiers who served in the militia and in organizations for the protection to the frontier, and their indigent widows, and to grant aid for the establishment and maintenance of a home for the indigent and dependent wives and widows of Confederate soldiers and sailors, and such women as aided the Confederacy, and authorize a special ad valorem pension tax, and making appropriations for same,"

And find it correctly enrolled, and have this day, at 10:20 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate Concurrent Resolution No. 21, Accepting a memorial tablet presented to Texas by the Colonial Dames of America.

And find it correctly enrolled, and have this day, at 4:20 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 150, "An Act to amend Section 1 of an Act passed by the Regular Session of the Thirtieth Legislature, relating to the selection of juries in counties with cities of certain population,"

And find it correctly enrolled, and have this day, at 10:20 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 226, "An Act for

the relief of the Houston Light Guard, a militia company known as Company A, Third Infantry, Texas National Guard; validating its title to armory property in the city of Houston, Texas, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 10:20 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of The Senate.

Sir: Your Committee on Enrolled Bills, have carefully examined and compared,

Senate bill No. 231, A bill to be entitled "An Act to create and establish the county of Willacy, prescribing its area and boundaries, appointing commissioners to organize said county, and prescribing their duties, providing for a division of said county into commissioners' and justices' precincts, providing for holding county and precinct elections for the election of county and precinct officers, and fixing the location of the county seat of said county, providing for the attachment of said county to judicial, representative, senatorial, congressional and supreme judicial districts, providing for the assessment and collection of taxes and for the defraying the expense of organizing said county, and surveying and fixing its boundaries, and for the new county to pay its pro rata share of the debt of the counties from which it is taken, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 10:20 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate Bill No. 258, "An Act to amend Section 54, of Chapter 104, of the Acts of the Regular Session of the Twenty-ninth Legislature of the State of Texas, entitled 'An Act to define and provide for organizing

and disciplining the militia; to prescribe the duties of the Governor, the Adjutant General and all officers and enlisted men thereof, and to repeal all laws in conflict therewith,' so as to provide that the amount of real and personal property that shall be owned, transferred or otherwise handled by military companies shall not exceed in value, at the time of its acquisition, two hundred thousand dollars, and to provide that the natural enhancement in value shall not affect property properly acquired by such companies, shall not affect the title or handling of such property in or by such companies, and to repeal Article 3426, Revised Civil Statutes of Texas, relating to the amount of property that may be owned by militia companies,"

And find it correctly enrolled, and have this day, at 10:20 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 268, "An Act to create a more efficient road system for Terrell county, Texas, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 10:20 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 305, "An Act to amend Section 14, of Chapter 5, of the Special Laws of the State of Texas, passed by the Regular Session of the Twenty-ninth Legislature to provide that each county commissioner shall be ex officio road commissioner for his district, prescribing his duties and compensation, and declaring an emergency."

And find it correctly enrolled, and have this day, at 10:20 o'clock p. m.,

presented same to the Governor for his approval.

RATLIF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 310, "An Act to reorganize the Twenty-eighth Judicial District of the State of Texas, to fix the times for holding the terms of district court therein, to make all process heretofore issued as well as all bonds and recognizances heretofore entered into conform thereto; and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 4:20 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 313, "An Act to amend Section 10 of Chapter 79 of the General Laws passed by the Twenty-seventh Legislature, which said chapter was also amended by the Acts of the Thirty-first Legislature of 1909, creating a more efficient road system for Brown county, Texas, and making the county commissioners of said county ex officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners,"

And find it correctly enrolled, and have this day, at 10:20 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 319, "An Act creating the Tell Independent School District in Childress and Hall coun-

ties, Texas; defining its metes and bounds; providing for a board of trustees therefor; vesting it with the rights and duties of districts incorporated for school purposes only under the General Laws, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 10:20 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 322, "An Act to authorize Aransas county, in compliance with the provisions of Chapter 134 of the General Laws of the Thirtieth Legislature, approved April 18, 1907, to build a causeway and to erect a drawbridge across the waters of Aransas Bay, between the southern end of Lamar Peninsula, at or near the old town of Lamar, in said county, and the northern end of Live Oak Peninsula, also in said county, for the purpose of connecting the public road system of said county between Lamar and Live Oak Peninsula, and to authorize the issuance of county bonds, under the provisions of said Chapter 134 of the General Laws of the Thirtieth Legislature, for the construction of said causeway and bridge, and for the construction and maintenance of a public highway along and upon same between such points,"

And find it correctly enrolled, and have this day, at 10:20 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 10, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared,

Senate bill No. 340, "An Act to regulate the time for holding the district courts in the various counties composing the Fifth Judicial District of Texas, so as to give Titus county one more week, and validating process, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 10:20 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

PETITIONS AND MEMORIALS.

By Senator Cofer:

Telegram from Senator J. W. Bailey, as follows:

"Washington, D. C.,

"March 9, 1911, 3:20 p. m.

"Hon. Claude Hudspeth or Hon. R. E. Cofer, Care of the State Senate, Austin.

"Have just seen brief account of discussion in Senate over Vaughan's resolution touching \$25,000 appropriation for Senator Lorimer, and I am certain you want to know the exact facts. I venture to trouble you with this message. Shortly before the general deficiency bill was taken up for consideration in the Senate I learned of the Lorimer item and immediately went to Senator Lorimer and told him that he ought himself to move to strike it out. He told me that he did not know it was in the bill and readily concurred in my suggestion. When it was reached he asked to strike it out and it was stricken from the bill on his request.

"J. W. BAILEY."

By Senator Lattimore:

Numerous petitions numerous signed by citizens of Tarrant county outside of Fort Worth, protesting against change in Fort Worth charter making the jurisdiction of the city court concurrent with that of the county court.

SUPPLEMENTARY LIST OF NOTARY APPLICANTS.

MOORE COUNTY.

Powell, Bob.....Dumas

MONTGOMERY COUNTY.

Mendenhall, Chas.....Security

ATASCOSA COUNTY.

Vickers, P. L.....Christine
Johnson, Jas. F.....Christine
Gidley, J. A.....Lytle

ELLIS COUNTY.

Cuney, I. N.....

CALDWELL COUNTY.

Tiller, Frank L.....Luling
Walker, Carl.....Fentress

GUADALUPE COUNTY.

Arend, Albert.....Seguin
Heilig, H. C.....Marion
Eberhard, Ed.....Seguin
Tancher, Jos.....Seguin

NACOGDOCHES COUNTY.

Nagel, Jno. T.....Woden

POTTER COUNTY.

Foard, Miss E. M. R.....
Umphres, X. C.....
Oliver, G. T.....Amarillo

COLLINGSWORTH COUNTY.

Glenn, C. J.....Wellington
Sherwood, R. R.....Wellington

HILL COUNTY.

Brin, Miss Hattie.....

SMITH COUNTY.

Jarvis, Webster.....Tyler

GALVESTON COUNTY.

Buetell, A. B.....Galveston
Myer, Maurice.....Galveston

TARRANT COUNTY.

Sledd, Elmo.....Fort Worth

HARRIS COUNTY.

(District No. 16.)

Mason, Fred.....Houston
Millard, O. C.....Houston
Jones, J. Leon.....Houston
Richardson, F. I. J.....Houston
Jackson, W. L.....Houston
Broyles, M. H.....Houston
Dickson, Winston M. C.....Houston
Hardaway, J. J.....Houston
Stowers, F. W.....Houston
Way, D. L.....Houston

Lohaus, R. A. Houston
 Peden, H. H. Houston
 Murray, J. T. Houston
 Marston, E. C. Houston
 Eyres, Ernest Y. Houston
 Neilson, Raymond. Houston
 Stevens, W. S. Houston
 Neal, C. S. Houston
 Tinker, H. N. Houston
 Louis, B. F. Houston

**ADDITIONAL NOTARY LIST FOR
 CLAY COUNTY.**

(District No. 27.)

Ballengee, J. I. Vashti
 Thompson, J. F. Vashti

COMANCHE COUNTY.

Holman, Matt. Comanche

WILBARGER COUNTY.

(District No. 29.)

Moore, C. W. Vernon
 Moore, R. M. Vernon

PALO PINTO COUNTY.

(District No. 28.)

Herring, W. A. Santo

MARTIN COUNTY.

(District No. 28.)

Aiken, F. O. Stanton
 Konz, Paul. Stanton

KENT COUNTY.

Blackburn, W. P. Clairemont

LUBBOCK COUNTY.

(District No. 29.)

Lamb, J. W. Lubbock

JEFFERSON COUNTY.

(District No. 14.)

Bone, Alexander. Beaumont

FANNIN COUNTY.

(District No. 3.)

Semple, Robert B. Bonham
 Baldwin, J. M. Honey Grove

DALLAS COUNTY.

(District No. 6.)

McNeese, L. L. Dallas
 McEntee, J. C. Dallas
 Terry, A. A. Dallas
 Mayes, D. S. Dallas
 Kersh, M. C. Dallas
 Raines, Hugh B. Dallas
 Capers, R. H. Dallas
 Pierson, W. M. Dallas

ROCKWALL COUNTY.

(District No. 6.)

Austin, I. J. Rockwall
 Chisholm, J. H. Rockwall

HOUSTON COUNTY.

(District No. 13.)

Wooldridge, T. J. Lovelady

NUECES COUNTY.

(District No. 23.)

Boedeker, H. H. Corpus Christi

BEXAR COUNTY.

(District No. 24.)

Johnson, Sam B.
 Johnson, George B.
 Felder, L. Camp.
 Fowler, J. G.
 Tyler, Marcus A.

DALLAS COUNTY.

Fitzhugh, Layette. Dallas

JOHNSON COUNTY.

Coffeman, C. H. Cleburne
 Wickham, J. J. Cleburne

BEXAR COUNTY.

Lewis, Dan. San Antonio

TARRANT COUNTY.

Johnson, J. Taylor. Fort Worth

PARKER COUNTY.

Ward, L. B. Springtown

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| HOOD COUNTY. | | Medford, G. A. Lufkin |
| Chadwick, K. U. Cresson | | Stokes, R. F. Lufkin |
| FORT BEND COUNTY. | | Vinson, A. J. Monterey |
| Heney, J. Mosig. Sugar Land | | Bingham, W. E. Mott |
| HARRISON COUNTY. | | Cochran, D. A. Ora |
| (District No. 9.) | | Baird, L. E. Huntington |
| Croner, W. F. Harleton | | Ivy, G. J. Huntington |
| TRINITY COUNTY. | | Collins, Joshua. Huntington |
| (District No. 13.) | | Ivy, W. D. Huntington |
| Reynolds, J. R. Groveton | | Havard, L. T. Zavalla |
| Johnson, J. H. Groveton | | Townesnd, H. J. Zavalla |
| Atmar, R. N. Westville | | Johnson, D. H. Dunkin |
| Lewis, W. F. Groveton | | Walker, Watson. Diboll |
| ANDERSON COUNTY. | | Thompson, John. Homer |
| Trotter, I. W. Palestine | | Cochran, W. W. Ora |
| HOUSTON COUNTY. | | Hopper, J. W. Clawson |
| Wooldridge, T. J. Lovelady | | Floyd, Jno. E. Huntington |
| CHEROKEE COUNTY. | | Forrest, R. B. Huntington |
| Bolton, J. J. Craft | | Herrington, Josh C. Huntington |
| Burton, M. Y. Troupe | | McMullen, T. C. Huntington |
| Box, J. C. Jacksonville | | Collins, B. L. Huntington |
| Watkins, R. O. Jacksonville | | Mattox, C. C. Ora |
| Bolton, W. E. Jacksonville | | Hawkins, Frank. Monterey |
| Rounsaville, Gus. Alto | | Parker, J. L. Mott |
| Powell, Miss Johnnie. Jacksonville | | Parker, T. J. Mott |
| Holsomback, J. T. Rusk | | Dudley, J. E. Mott |
| Walton, Pete, Jr. Alto | | Mott, H. C. Mott |
| ANGELINA COUNTY. | | HARRIS COUNTY. |
| Yates, L. N. Huntington | | (District No. 16.) |
| Massingill, J. M. Huntington | | Palmer, C. M. West La Porte |
| McKewen, R. P. Huntington | | McKay, A. N. West La Porte |
| Herrington, G. W. Huntington | | Blackwell, A. O. West La Porte |
| Jones, M. C. Huntington | | Parris, J. P. Houston |
| Agee, Coe. Huntington | | MILAM COUNTY. |
| Smith, W. N. Manning | | (District No. 11.) |
| Gribble, C. G. Manning | | Lyon, Will. Tracy |
| Wynne, M. V. Lufkin | | McLENNAN COUNTY. |
| Townsend, G. E. Huntington | | Fields, J. C. Waco |
| Welch, R. V. Diboll | | ROBERTSON COUNTY. |
| Townsend, W. J., Sr. Lufkin | | (District No. 12.) |
| Townsend, S. H. Lufkin | | Lloyd, R. J. Franklin |
| Sharpe, James E. Lufkin | | Goodman, Mary Lou. Franklin |
| Collins, G. M. Lufkin | | GALVESTON COUNTY. |
| Fairchild, I. D. Lufkin | | (District No. 17.) |
| Sayers, Samuel R. Lufkin | | Alberto, J. T. Galveston |
| Parker, Samuel R. Lufkin | | Selkirk, W. M. Galveston |
| Hooper, Sallie A. Clawson | | Buetell, A. B. Galveston |
| | | Meyer, Maurice. Galveston |
| | | Singer, J. Galveston |
| | | Singer, D. A. Galveston |

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| MATAGORDA COUNTY. | BELL COUNTY. |
| Wasson, Lennie..... | (District No. 27.) |
| KAUFMAN COUNTY. | Walker, Albert Van Ness... Belton |
| (District No. 9.) | Wood, Notable C..... Temple |
| Hefington, R. F..... Prairieville | Wood, M. W..... Temple |
| BEXAR COUNTY. | JONES COUNTY. |
| (District No. 24.) | (District No. 28.) |
| Taylor, J. M..... | Zug, Charles W..... Stamford |
| Dunn, P. B., Jr..... | Wade, Homer D..... Stamford |
| Johnson, J. E..... | LYNN COUNTY. |
| Howell, W. S..... | (District No. 28.) |
| Maverick, Albert..... | Alley, Jack..... Tahoka |
| Kearny, S. W..... | Chastain, C. P..... Hamlin |
| Goethe, C. A..... | EASTLAND COUNTY. |
| Lockhart, B..... | (District No. 28.) |
| Cohen, Miss B..... | Harrison, John T..... Eastland |
| Romine, J..... | Conner, Ora..... Eastland |
| Rhode, Alfred W..... | Day, S. J..... Eastland |
| Campbell, T. W..... | Rust, R. L..... Eastland |
| Polk, Louis..... | NOLAN COUNTY. |
| Lancaster, Thos. J..... | (District No. 28.) |
| Rhodius, H. U..... | Bondies, H. R..... Sweetwater |
| Milligan, W. E..... | TAYLOR COUNTY. |
| Woods, P. C..... | District No. 28.) |
| Meerscheidt, Paul..... | Tribble, Ollie..... Abilene |
| Camp, L. B..... | TITUS COUNTY. |
| Page, William G..... | (District No. 2.) |
| Harris, R. L..... | Keith, W. A..... Cookville |
| Bass, M. J..... | BOWIE COUNTY. |
| Colp, D. E..... | (District No. 1.) |
| Moore, Hayder..... | Bounds, C. C..... Texarkana |
| HARRISON COUNTY. | Heath, Samuel H..... New Boston |
| (District No. 8.) | CASS COUNTY. |
| Simmin, Elizabeth..... Marshall | (District No. 1.) |
| McGee, H. W..... Marshall | Willoughby, A. L..... Atlanta |
| Hester, A. G..... Marshall | |
| LUBBOCK COUNTY. | |
| (District No. 29.) | |
| Wood, D. J..... Lubbock | |
| HARDEMAN COUNTY. | |
| Decker, D. E..... Quanah | |
| Clarke, J. A..... Quanah | |
| John, A. M..... Quanah | |
| BRAZOS COUNTY. | |
| (District No. 12.) | |
| Crenshaw, Henry..... Bryan | |

NEWTON COUNTY.

(District No. 14.)

Forse, J. B. Newton
 Lanakam, E. E. Burksville
 McLachlan, C. P. Newton

ORANGE COUNTY.

(District No. 14.)

Keaghey, Jno. S. Orange
 Higgins, V. O. Orange
 Stark, V. H. Orange

SABINE COUNTY.

(District No. 14.)

Casey, C. E. Bronson
 Hawkla, J. J. Geneva
 Hawkla, R. A. Hemphill
 Adams, F. P. Pineland

SAN AUGUSTINE COUNTY.

(District No. 14.)

Davis, A. E. San Augustine

BROWN COUNTY.

(District No. 26.)

Brashear, E. R. Brownwood
 Baughman, Chas. Brownwood

RUNNELS COUNTY.

(District No. 26.)

Briggs, L. Winters
 Brian, L. J. Winters

COMANCHE COUNTY.

(District No. 26.)

Saye, W. L. Comanche

COLLIN COUNTY.

(District No. 5.)

Bickley, C. W. Farmersville
 Peak, H. M. Farmersville

STONEWALL COUNTY.

(District No. 28.)

Gray, G. A. Aspermont
 Lockett, Julia. Aspermont

DE WITT COUNTY.

(District No. 22.)

Supplemental List.

Mylius, Miss Bettie. Yoakum
 Pridgen, D. C. Thomaston
 Holzapfel, Herman. Meyersville
 Walker, L. A. Yorktown
 Boal, J. E. Yorktown
 Ladner, F. O. A. Nordheim
 Stuermer, H. A. Nordheim
 Edwards, W. F. Westhoff
 Mugge, H. A. Cuero
 Schleicher, Miss E. H. Cuero
 Clark, E. T. Yorktown
 Waltersdorf, C. H. Cuero
 Find, Miss Norma. Yoakum
 Schorre, Louis. Cuero

LOVING COUNTY.

Webster, Harry. Dixieland

CRANE COUNTY.

Willingham, A. C. Grand Falls

EL PASO COUNTY.

Bond, Laura J. El Paso
 Sweeney, Geo. O. El Paso
 (Printed list Geo. W.)
 Dunson, W. H. La Valley
 Carter, Chas. F. Pecos

CULBERSON COUNTY.

Sillimon, Elton. Van Hunt
 Cannon, Joseph. Van Hunt

IRION COUNTY.

Jenson, J. E. Martzon

KIMBLE COUNTY.

Riley, W. P. Junction
 (Printed list Hiley).

MAVERICK COUNTY.

Landegren, G. F. Eagle Pass
 (Printed list Landsgren.)

PECOS COUNTY.

Blaydes, R. B. Fort Stockton
 (Printed list Blaybess.)
 Hazeltine, Geo. C. Fort Stockton
 (Printed list Hazelting.)

PRESIDIO COUNTY.

Hysaw, C. Gordon.....Marfa
(Printed list C. Gordan.)

VAL VERDE COUNTY.

Boyle, W. G.....Sanderson
(and not on Terrell County list.)
Christilles, Louis.....Del Rio
(Printed list Chrisilles.)
Hunnicut, R. T.....Del Rio
(Printed list Honnicutt.)
Schevne, I. A.....Del Rio
(Printed list Scherne.)

WARD COUNTY.

Moore, H. E.....Grand Falls

FORTY-SECOND DAY.

Senate Chamber,
Austin, Texas,
Saturday, March 11, 1911.

The Senate met at 4:55 o'clock a. m., which was pursuant to adjournment, and was called to order by President Pro Tem. Hudspeth.

Roll called, no quorum being present, the following Senators answering to their names:

| | |
|------------|--------------------|
| Adams. | McNealus. |
| Astin. | Meachum. |
| Bryan. | Peeler. |
| Carter. | Sturgeon. |
| Cofer. | Terrell, McLennan. |
| Hudspeth. | Terrell, Wise. |
| Hume. | Townsend. |
| Johnson. | Vaughan. |
| Kauffman. | Warren. |
| Lattimore. | Weinert. |

Absent.

| | |
|-----------|----------|
| Collins. | Ratliff. |
| Greer. | Real. |
| Mayfield. | Ward. |
| Murray. | Watson. |
| Paulus. | Willacy. |
| Perkins. | |

REFUSE TO RECESS.

Senator Cofer moved that the Senate recess until 8:30 o'clock a. m. today.

The motion was lost by the following vote:

Yeas—10.

| | |
|-----------|-----------|
| Adams. | McNealus. |
| Bryan. | Meachum. |
| Cofer. | Sturgeon. |
| Hudspeth. | Townsend. |
| Johnson. | Weinert. |

Nays—10.

| | |
|------------|--------------------|
| Astin. | Peeler. |
| Carter. | Terrell, McLennan. |
| Hume. | Terrell, Wise. |
| Kauffman. | Vaughan. |
| Lattimore. | Warren. |

Present—Not Voting.

Watson.

Absent.

| | |
|-----------|----------|
| Collins. | Perkins. |
| Greer. | Ratliff. |
| Mayfield. | Real. |
| Murray. | Ward. |
| Paulus. | Willacy. |

A quorum was then announced present.

Prayer by Senator Lattimore.

Pending the reading of the Journal of yesterday on motion of Senator Terrell of Wise, the same was dispensed with.

(Senator Meachum in the chair.)

There being no business under the regular order the morning call was declared concluded.

HOUSE BILL NO. 379.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

House bill No. 379, A bill to be entitled "An Act to amend Chapter 42 of an Act of the Twenty-ninth Legislature entitled An Act to prohibit the granting or use for railway or other purposes of any part of the tract of land in the city and county of Galveston, Texas, acquired by that county or the commissioners' court thereof for seawall purposes, by adding thereto Section 1a, authorizing and empowering Galveston county or the commissioners' court of said county to convey or lease to the board of regents of the University of Texas on behalf of the State of Texas for hospital purposes in connection with the John Sealy hospital all or any part of